



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

MISCELLANEOUS FIRST APPEAL NO. 5934 OF 2024 (MV-I)

BETWEEN:

SRI GANGADHARA,
S/O LATE CHANDRASHEKAR,
NOW AGED ABOUT 51 YEARS,
RESIDING AT NO.171, 4TH CROSS,
MANJUNATH LAYOUT,
HEGGADADEVANAPURA,
NEAR TAPOVANA,
DASANAPURA HOBLI,
BENGALURU.

...APPELLANT

(BY SMT. SUSHMITHA G., ADVOCATE)

AND:

1. VASANTHAIAH PUTTAIAH
PROP, SLV ROAD LINES,
NO.31/A,
SRI LAKSHMIVEN KATESHWARA NILAYA,
6TH CROSS, BEHIND SBM BANK,
SIDDANAHOSAHALLI,
MADAVARA POST,
BENGALURU - 562 162.
2. TATA AIG GEN. INS. CO. LTD.,
NO.69, 3RD FLOOR, J. P. AND DEVI
JAMBUKESHWAR ARCADE,
MILLER'S ROAD,
BENGALURU - 560 051,
REP BY ITS MANAGER.





...RESPONDENTS
(BY SRI. JANARDHAN REDDY., ADVOCATE FOR R2;
V/O/D 20.09.2024 NOTICE TO R1 D/W)

THIS MFA IS FILED U/S.173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DT.01.03.2024 PASSED IN MVC NO.5286/2022 ON THE FILE OF THE XIX ADDITIONAL JUDGE, COURT OF SMALL CAUSES, MEMBER, MACT, BENGALURU CITY, (SCCH-17), PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS APPEAL, COMING ON FOR FINAL HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA

ORAL JUDGMENT

This appeal is filed by the appellant/claimant under Section 173(1) of Motor Vehicles Act, 1988 challenging the judgment and award dated 01.03.2024 passed in MVC No.5286/2022 on the file of the XIX Additional Judge, Court of Small Causes & MACT, Bengaluru, (SCCH-17), for enhancing the compensation.

2. Heard the arguments of the learned counsel for the appellant and learned counsel for respondent



No.2/Insurance Company. The ranks of the parties are retained as per Tribunal for the sake of convenience.

3. The petitioner/injured claimant met with an accident on 26.08.2022 and filed petition before the Tribunal for compensation of Rs.15,00,000/-. The Tribunal considering the entire evidence on record granted an amount of Rs.2,37,000/- with interest at the rate of 6% p.a., from the date of filing the petition till the date of realization. Being aggrieved by the said order, this appeal is filed.

4. It is stated that though the petitioner/injured filed medical bills amounting to Rs.79,666/- under Ex.P.15, the Tribunal did not grant any amount on the ground that the said amount had already been reimbursed to him. Learned counsel for the respondents sought to adduce evidence with regard to this aspect and requested that the matter be remanded.

5. Accordingly, I pass the following:



ORDER

- i) The appeal is ***allowed*** and remanded;
- ii) The matter is remitted back to the Tribunal with a specific direction to give reasonable opportunity to both parties to adduce evidence and to present their arguments and to dispose of the matter on merits by duly considering the entire evidence on record within two months from the date of this order.
- iii) The Registry is directed to transmit the records within ten days.
- iv) Both parties are directed to appear before the Tribunal on ***16.03.2026***.

**Sd/-
(P SREE SUDHA)
JUDGE**