



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 26160 OF 2024 (GM-AC)

BETWEEN:

M/S SHRIRAM GENERAL INSURANCE
COMPANY LTD., BRANCH OFFICE
2ND FLOOR, CH66-2904
OPP. RELIANCE HOME FINANCE
NEAR PALACE HONDA SHOWROOM
KANTHARAJA URS ROAD
MYSURU - 570 098
KARNATAKA
NOW REP. BY ITS MANAGER
M/S SHRIRAM GENERAL INSURANCE
COMPANY LTD., NO.5/4
3RD FLOOR, S V ARCADE
DEVARACHIKKANAHALLI ROAD
BANNERUGHATTA MAIN ROAD
IIMB POST, BANGALORE
REPTD. BY ITS LEGAL MANAGER

...PETITIONER

(BY SRI. B C SHIVANNE GOWDA., ADVOCATE)

AND:

1. B R HARISH
S/O RAMESH S
AGED ABOUT 33 YEARS





COMPING AT C/O GAURAV Y A
NO.1070, 9TH CROSS
VINAYA MARGA, SIDDARATHANAGARA
MYSURU - 570 011
ALSO AT NO.10/11
KANCHANAHALLI ROAD
WARD NO.11, BANNUR TOWN
T NARASIPURA TALUK
MYSURU DISTRICT - 570 011

2. SRI SWAROOPA M S
S/O LATE SIDDEGOWDA
MEGALA KOPPALU VILLAGE
BANNUR HOBLI,
T NARASIPURA TALUK
MYSURU DISTRICT - 570 011

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER AS PER ANNEXURE D DATED 12.07.2024 PASSED BY THE COURT OF ADDITIONAL SMALL CAUSES AND SENIOR CIVIL JUDGE AT MYSURU FILED UNDER ORDER VII RULE 11(D) READ WITH SECTION 151 OF CPC, READ WITH SECTION 166(3) OF IMV ACT IN MVC NO.935/2023 AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD



ORAL ORDER

This petition is by the Insurer who is called upon to answer a claim under Section 166 of the Motor Vehicles Act, 1988 [for short, '*the Act*'] in the claim petition in MVC No.935/2023 on the file of the Judge, Additional Court of Small Causes and MACT, Mysuru [for short, '*the Tribunal*']. The petitioner has filed an application under Order VII Rule 11[d] r/w. Section 151 of the Code of Civil Procedure, 1908 contending that the claim petition cannot be entertained because it is filed beyond six months from the date of accident. The Tribunal, by the impugned order dated 12.07.2024, has rejected the petitioner's application.

The question: whether a claim petition filed beyond six months from the date of the accident can be entertained is pending with the Apex Court in SLP Nos.8412-8413/2023 and similar matters in the writ petition in WP [Civil] No. 166/2024 and connected



matters. It remains undisputed that the Apex Court by its interim order dated 16.12.2025 has observed that the pendency of the writ petitions/special leave petitions before it shall not come in the way of the claim petitions being adjudicated by the Tribunals but with the stipulation that judgments shall not be finalized.

This Court is of the considered view that with the afore-stipulation, this petition must be disposed of observing that the Tribunal's impugned order will be subject to the outcome in the pending matters before the Apex Court. With this arrangement, the inquiry into the merits of the claim petition will continue, but the Tribunal will refrain from pronouncing its judgment and award so that the decision on the merit of the claim petition otherwise will be subject to the Apex Court's decision on the afore question.



NC: 2026:KHC:11746
WP No. 26160 of 2024

The petition stands disposed of accordingly.

Sd/-
(B M SHYAM PRASAD)
JUDGE

NV
List No.: 4 Sl No.: 2