



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 36141 OF 2025 (GM-AC)

BETWEEN:

THE NEW INDIA ASSURANCE CO., LTD.,
BRANCH OFFICE NO.289/12, 2ND FLOOR,
A.M. ARCADE, NEAR VIDYARTHI BHAVAN,
C.G. HOSPITAL ROAD, DAVANAGERE.

REPRESENTED BY

THE NEW INDIA ASSURANCE CO., LTD.,
THIRD PARTY CLAIMS HUB,
NO.9/2, 2ND FLOOR, MAHALAKSHMI CHAMBERS,
M.G. ROAD, BANGALORE - 560001.
REPRESENTED BY ITS MANAGER.
COMPANY REGISTERED UNDER COMPANIES ACT, 1913

...PETITIONER

(BY SRI. RAVISHANKAR C R., ADVOCATE)

AND:

1. MS. CHINMAYI V
AGED ABOUT 11 YEARS,
S/O SRI. VEERESH V.B.,
OCC- STUDENT,
SINCE MINOR, REPRESENTED BY MOTHER AND
NATURAL GUARDIAN
SMT.VANITHA G.,
AGED ABOUT 41 YEARS,
W/O SRI. VEERESH V.B.,
R/AT LAKSHMISAGAR, SADARAHALLI,
CHITRADURGA DISTRICT-577501.

ALSO R/AT DOOR NO.B24,
S.S. HOSPITAL QUARTERS,
DAVANAGERE-577001.

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



2. SRI. NATARAJ K.R.,
AGED ABOUT 45 YEARS,
S/O LATE RAMAIAH,
OWNER OF LORRY NO.MH-12-KP-7532,
R/AT KAMBADAHALLI VILLAGE,
KORATAGERE TALUK,
TUMKUR DISTRICT-572129.
3. SRI. TARUN KUMAR N.K.,
AGED ABOUT 46 YEARS,
S/O LATE N. KRISHNAMURTHY
DRIVER OF LORRY NO.MH-12-KP-7532
R/AT DOOR NO.450, 2ND MAIN ROAD,
16TH CROSS, K.T.G. NAGAR,
DAVANAGERE-577001.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS IN MVC NO.597/2024 AND ON THE FILE OF THE I ADDL. SENIOR CIVIL JUDGE AND JMFC, DAVANAGERE, PERUSE THE SAME AND ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION TO SET ASIDE / QUASH THE IMPUGNED ORDER DATED 29-08-2025 ON I.A.NO.2 IN MVC NO.597/2024 AS PER ANNEXURE -A AND CONSEQUENTLY PASS AN ORDER TO DISMISS THE CLAIM PETITION FILED BY THE 1ST RESPONDENT FOR COMPENSATION UNDER SECTION 166 OF THE MOTOR VEHICLES ACT AS BARRED BY LAW UNDER SECTION 166(3) OF THE NEW AMENDED ACT AND ETC.

THIS WRIT PETITION, COMING ON FOR FURTHER HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. In the above petition, the short question that arises for consideration is whether a claim petition filed under sub-section (3) of Section 166 of the Motor



Vehicles Act, 1988 would be maintainable if instituted beyond a period of six months from the date of the accident.

2. It is not in dispute that the said issue is presently under consideration before the Hon'ble Supreme Court in SLP Nos. 8412-8413/2023. By way of an interim order, the Hon'ble Supreme Court has observed that the pendency of the Special Leave Petitions shall not preclude the Motor Accident Claims Tribunal from proceeding with the adjudication of claim petitions; however, it has been expressly stipulated that final judgments shall not be pronounced.
3. In view of the aforesaid development, and having regard to similar interim orders passed by this Court in connected matters, it is submitted that this petition may be disposed of with appropriate directions to the Motor Accident Claims Tribunal to proceed with the matters, subject to the limitation imposed by the Hon'ble Supreme Court.
4. Having considered the submissions and the interim directions issued by the Hon'ble Supreme Court, I deem it appropriate to dispose of this petition with the following directions:



- 4.1. The Motor Accident Claims Tribunal shall be at liberty to proceed with the adjudication of the claim petitions in all respects, including recording of evidence and hearing of arguments;
 - 4.2. However, the Tribunal shall not pronounce or draw up the final award in the said proceedings until further orders are passed by the Hon'ble Supreme Court in SLP Nos. 8412-8413/2023.
5. It is further clarified that the ultimate outcome of the proceedings before the Tribunal shall abide by the decision to be rendered by the Hon'ble Supreme Court in the aforesaid Special Leave Petitions.
 - 5.1. In the event the Hon'ble Supreme Court holds that claim petitions filed beyond the period of six months from the date of the accident are maintainable, the Tribunal shall be at liberty to proceed to pronounce and draw up the final award in accordance with law;
 - 5.2. Conversely, if it is held that such claim petitions are not maintainable, the Tribunal shall pass appropriate orders in conformity with the law so declared.



NC: 2026:KHC:19699
WP No. 36141 of 2025

6. With the above Observations, the Writ Petition stands **disposed**.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

List No.: 19 Sl No.: 0