

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

[SRI. CHETHAN KUMAR VS. B.M.T.C]

06.02.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

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

ORAL ORDER

Mr. S. P. Shankar, the learned Senior counsel for the petitioner, is heard on the grant of *ad interim* order.

The question presented for consideration is *whether this Court must interfere with the Tribunal's order to reject an application filed under Order XVI Rule 1 and Rule 2 of CPC for summoning investigation documents from the Station House Officer*. The learned Senior counsel submits that the application is rejected despite the first respondent stating that the application could be allowed. On the urgency, the learned Senior counsel submits that investigating papers would be necessary for complete adjudication on the Issues that are framed.

In consideration thereof and to ensure that there is no precipitation, the interim order is granted as prayed for to be in force until the next date of hearing.

Mr. B. Ravindranath, a learned Additional Government Advocate, is called upon to accept notice for the second respondent and secure instructions on why certified copies of the investigating papers cannot be furnished to the petitioner, who has presented the claim petition under Section 166 of the Motor Vehicles Act, 1988.

Mr. D. Vijay Kumar, a learned standing counsel is called upon to accept notice for the first respondent.

The learned counsel for the petitioner shall ensure copies of the petition/annexures are served on the chambers of the afore learned counsels forthwith.

The office is directed to re-list this petition on **20.02.2026.**

(B M SHYAM PRASAD)
JUDGE