

MFA NO. 100538/2026 (MV - D)

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

[DEPOT MANAGER AND OTHERS VS. BHEEMAPPA S/O
HANUMANTAPPA SINCE DEAD BY HIS LRS AND OTHERS]

25.03.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

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

ORAL ORDER

(PER: HON'BLE MR JUSTICE B.M.SHYAM PRASAD)

Sri S. C. Bhuti, the learned counsel for the appellants, argues in support of an interim order pleading urgency. The learned counsel submits that the Tribunal has granted compensation based on loss of dependency, notwithstanding the material on record indicating that the claimants, who are siblings of the deceased and aged major, would be only entitled to loss of estate. The learned counsel also submits that the liability to pay towards loss of estate would also be reduced if there is re-appreciation of evidence to decide upon the question of contributory negligence.

In consideration of these submissions, and subject to further orders on I.A.No.1/2026 which is for condonation of delay of six days, the interim order is granted staying the operation of the judgment and award dated 03.10.2025 in MVC No.1233/2021 on the file of the I Additional Senior

Civil Judge and MACT, Ranebennur, subject to the following conditions.

[a] The appellants shall deposit Rs.4,00,000/- within 8 weeks and the Tribunal is called upon to disburse the same amount, subject to its direction on apportionment, if the respondents make an application within 8 weeks from the date of deposit.

[b] If the respondents do not make the application, the Tribunal shall invest this amount with a nationalized bank with auto renewable instructions.

There shall be notice to the respondents, returnable by **24.06.2026** and the Office is directed to secure the trial Court records by then.

(B.M.SHYAM PRASAD)
JUDGE

(SHIVASHANKAR AMARANNAVAR)
JUDGE