

**MFA NO. 101749/2025 (MV - I)**

**IN THE HIGH COURT OF KARNATAKA AT DHARWAD**

[THE DIVISIONAL MANAGER VS. ISHWAR S/O. SANTOSH  
MANJANNAVAR AND ANOTHER]

27.03.2026

(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)

Orders on .I.A.No. 1 of 2026.

The Insurer is aggrieved by the award of Rs.51,87,000/- with interest at the rate of 6% per annum. The injured claimant is 6 years old and according to the appellant/insurer, its liability must be confined in the light of the exposition by the Apex Court in ***Mallikarjuna V/s Divisional Manager, National Insurance Company Limited and Another*** reported in ***(2014) 14 SCC 396***. This Court, on 24.04.2025, has granted interim order subject to the appellant depositing 50% of the award with the Tribunal and the appellant has deposited this amount.

When queried on the possible objections to the request for withdrawal, Sri G. N. Raichur, the learned counsel for

the appellant-Insurer submits that even if the liability is to be decided based on the exposition in ***Master Mallikarjuna*** [*supra*], the Insurer will not be able to deny its liability to pay compensation of Rs.6,00,000/- with interest at the rate of 6% per annum and therefore this Court may dispose of the application calling upon the Tribunal to disburse only such amount with the direction to continue the remaining amount in a fixed deposit with auto renewable instructions.

Sri Anjaneya M., the learned counsel for the injured claimant is heard. The Claimant - respondent has suffered injuries in the head and has undergone hospitalisation on two different occasions. It would be undeniable that the parents would have incurred expenditure and they must have access to the amount that cannot be disputed at all. Hence the application is allowed calling upon the Tribunal to disburse Rs.6,00,000/- with interest at 6% per annum from the date of petition till the date of disbursement to the appellant's father and continue the remaining amount in a fixed deposit with a nationalized bank with auto renewal instructions.

The Registry is directed to call for the trial Court records once there is disbursement as now directed.

**(B.M.SHYAM PRASAD)**  
**JUDGE**

**(SHIVASHANKAR AMARANNAVAR)**  
**JUDGE**

KGK

List No.: 1 Sl No.: 22