

MFA NO. 104606/2025 (MV - D)

IN THE HIGH COURT OF KARNATAKA AT DHARWAD
[THE MANAGER VS. SMT MANISHA WD/O ANILKUMAR
KOLI AND OTHERS]

24.03.2026

(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. K. Kayakamath, the learned counsel for the appellant-insurer, and Ms. Sunanda P. Patil, the learned counsel for the claimants, are heard on the appellant's request for ad-interim order. Sri. S. K. Kayakamath submits that the appellant-insurer's grievance is with the Tribunal's finding on the involvement of the insured vehicle and that the Tribunal's finding in this regard will have to be considered. In this regard, the learned counsel submits that this Court will have to re-appreciate the evidence in the light of the fact that the MLC Extract referred to by the Tribunal does not mention the vehicle number and that the first

information is registered after fifteen [15] days of the accident.

Prima facie a case is made out for grant of stay and to ensure that the balance of mutual interest is maintained, the interim order is granted staying the execution and operation of the Tribunal's impugned judgment and award calling upon the Tribunal not to disburse the amount that may be deposited by the insurer.

The Office is directed to secure the trial Court records expeditiously, and in any event, by the next date of hearing, and the respondents-claimants are reserved liberty to seek final disposal on the next date of hearing.

The Office is directed to re-list this appeal on **16.04.2026.**

(B.M.SHYAM PRASAD)
JUDGE

(SHIVASHANKAR AMARANNAVAR)
JUDGE

Vnp
List No.: 2 Sl No.: 10