



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 23RD DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

AND

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

MISCL. FIRST APPEAL NO.203016 OF 2025 (MV-D)

BETWEEN:

MAGMA HDI GEN. INS. CO. LIMITED,
THROUGH ITS DIVISIONAL MANAGER,
2ND FLOOR, H.M.J.C ROAD, 38
J. C. ROAD, NEAR MINERVA CIRCLE,
BANGALORE-560002.
(NOW REPRESENTED BY MAGMA GIC LTD.,
AUTHORISED SIGNATORY, ASHOK NAGAR,
BANGALORE)

...APPELLANT

(BY SMT. PREETI PATIL MELKUNDI, ADVOCATE)

AND:

1. INDRABAI W/O LATE CHANDRAKANT BHOVI,
AGE: 43 YEARS, OCC: HOUSEHOLD,
2. SUDEEP S/O LATE CHANDRAKANT BHOVI,
AGE: 26 YEARS, OCC: STUDENT,
3. GAGANDEEPA S/O LATE CHANDRAKANT BHOVI,
AGE: 15 YEARS, OCC: STUDENT,
RESP. NO.3 HEREIN IS MINOR
U/G OF HIS NATURAL MOTHER RESP. NO.1 HEREIN
ALL ARE R/O GOBBUR (K), TQ. AFZALPUR,
DIST. KALABURAGI, NOW AT KARADAL,
TQ. CHITTAPUR, DIST. KALABURAGI-585101.





NC: 2026:KHC-K:3612-DB
MFA No. 203016 of 2025

4. KAREEMKHAN S/O NAWABKHAN,
AGE: MAJOR, OCC: OWNER OF MOTORCYCLE
NO.KA-32/HA-6589, R/O JAGAT ROAD,
KALABURAGI-585101.

...RESPONDENTS

(BY SRI. SANJEEV PATIL, ADVOCATE FOR C/R1 TO R3;
V/O DATED 23.04.2026, NOTICE TO R4 IS D/W)

THIS MFA IS FILED UNDER SECTION 173(1) OF MOTOR VEHICLE ACT, PRAYING TO CALL FOR THE RECORDS AND ALLOW THE ABOVE APPEAL BY SETTING ASIDE THE IMPUGNED JUDGMENT AND AWARD DATED 25.04.2025 IN MVC NO.699/2024 PASSED BY THE PRINCIPAL SENIOR CIVIL JUDGE AND MACT AT KALABURAGI, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS APPEAL COMING ON FOR FINAL HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ
and
HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL JUDGMENT

(PER: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA)

Smt.Preeti Patil Melkundi, learned counsel for the appellant as well as Sri Sanjeev Patil, learned counsel for respondent Nos.1 to 3 are present. Equally respondent Nos.1 to 3/claimants are present before this Court in person.



2. Both the learned counsel submits that settlement is arrived at between the appellant and respondent Nos.1 to 3. Respondent Nos.1 to 3 agreed to receive a sum of Rs.67,50,000/- including interest towards full and final settlement of the matter.

3. On questioning, respondent Nos.1 and 2 submits that they are in need of money and therefore they voluntarily entered into settlement and they have no grievance whatsoever. Respondent No.3 being minor is represented by respondent No.1.

4. I.A.No.II of 2026 filed seeking permission to enter into compromise on behalf of minor respondent No.3 by respondent No.1 is allowed.

5. Having gone through the contents of the petition filed under Order 23 Rule 3 read with Section 151 of Civil Procedure Code in respect of the



compromise arrived at and as the same appears to be voluntarily, said petition is allowed.

6. The appeal is disposed of in terms of the compromise petition.

7. Compensation which respondent Nos.1 to 3/claimants accepted to receive in terms of compromise be apportioned between them as ordered by the Tribunal.

Amount in deposit be transmitted to the concerned Tribunal.

In the light of the disposal of appeal, the proceedings in I.A No.1/2025 are closed.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

SRT
List No.: 1 Sl No.: 1
CT:SI