



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. 203778 OF 2023 (MV-D)

BETWEEN:

MOHAMMAD IFTEQA AHMED SHAIKH
S/O ADBUL HAMEED,
AGE: MAJOR,
OCC: OWNER OF THE VEHICLE INVOLVED IN
ACCIDENT AND BUSINESS,
BEARING NO.KA.32. D/6112.
R/O: H.NO.9-1-19, NEAR DAKHUL MASJID,
MAIN ROAD, ALAND, TQ: ALAND,
DIST: KALABURAGI – 585 302.

...APPELLANT

(BY SRI. K.A.KALBURGI, ADVOCATE)

AND:

1. UJWALA W/O LATE ROHIDAS CHAVAN,
AGED ABOUT 24 YEARS, OCC: HOUSEHOLD,
2. ROHIT S/O LATE ROHIDAS CHAVAN,
AGED ABOUT 09 YEARS, OCC: NIL,
3. ROHINI D/O LATE ROHIDAS CHAVAN,
AGED ABOUT 07 YEARS, OCC: NIL,
4. ROSHANI D/O LATE ROHIDAS CHAVAN,
AGED ABOUT 2 YEARS 4 MONTH,
OCC: NIL,

PETITIONER NO.2 TO 4 ARE MINORS
U/G OF THEIR NATURAL MOTHER,





I.E.PETITIONER NO.1
SMT UJWALA.

5. SHANKAR S/O TUAKARAM CHAVAN,
AGED ABOUT 62 YEARS, OCC: NIL,
6. ANSHABAI W/O SHANKAR CHAVAN,
AGED ABOUT 58 YEARS, OCC: NIL,

ALL ARE R/AT: HIRA NAGAR,
TQ : MUKHED, DIST: NANDED,
STATE MAHARASHTRA - 431 715.

7. THE MANAGER,
HDFC ERGO GENERAL INSURANCE CO. LTD.,
2ND FLOOR 101/A/SF2, KISHAN KRUPA,
OPP: KANNADA BHAVAN MAIN ROAD,
SVP CIRCLE KALABURAGI - 585 102.

...RESPONDENTS

(BY SRI. K.A.KALBURGI AND SRI. CHETAN KALBURGI, ADVOCATES)

THIS MFA IS FILED UNDER SECTION173(1) OF THE MOTOR VEHICLES ACT, 1988, PRAYING TO ALLOW THE ABOVE APPEAL BY MODIFYING THE IMPUGNED JUDGMENT AND AWARD PASSED BY THE PRL. SENIOR CIVIL JUDGE AND MACT, KALABURAGI IN M.V.C.NO.736/2021 DATED 08.09.2023, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS APPEAL, COMING ON FOR ORDERS, 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 MR. JUSTICE SURAJ GOVINDARAJ)

1. Appellant is before this Court seeking for the following reliefs:

Wherefore, the appellant prays that this Hon'ble Court be pleased to call for the records and allow the above appeal by modifying the impugned judgment and award passed by the Prl. Senior Civil



Judge and MACT, Kalaburagi in MVC No.736/2021 dated 08.09.2023, in the interest of justice and equity.

2. A memo dated 27.01.2026 has been filed, which reads as under:

"In the above case parties to proceedings are settled the case, the appellant herein made payment full and final settlement of Rs.10,00,000/- (Rupees Ten Lakhs Only) to Respondnet/Claimants herein before Prl. Senior Civil Judge at Kalaburagi in E.P No.180/2024. The photocopy of order sheet & Joint memo is submitted herewith."

3. Accepting the memo filed, the appeal is **dismissed** as settled out.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE