



NC: 2026:KHC-K:5251
MFA No. 201152 of 2021
C/W MFA No. 201150 of 2021
MFA No. 201151 of 2021
AND 1 OTHER

IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 14TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE K V ARAVIND

MISCL. FIRST APPEAL NO. 201152 OF 2021 (MV-I)

C/W

MISCL. FIRST APPEAL NO. 201150 OF 2021 (MV-I)

MISCL. FIRST APPEAL NO. 201151 OF 2021 (MV-I)

MISCL. FIRST APPEAL NO. 201153 OF 2021 (MV-I)

IN MFA No. 201152/2021

BETWEEN:

THE DIVISIONAL CONTROLLER, NEKRTC,
KALABURAGI DIVISION, KALABURAGI,
(NEKRTC CONTROLLING AUTHORITY),
NOW REPRESENTED THROUGH BY ITS
CHIEF LAW OFFICER, NEKRTC,
CENTRAL OFFICE, SARIGE SADHANA,
MAIN ROAD, KALABURAGI-585101.

...APPELLANT

(BY SRI. SHARANABASAPPA M. PATIL, ADVOCATE)

AND:

1. RANUBAI W/O NARSING,
AGE: 51 YEARS, OCC: AGRICULTURE
AND MILK VENDING (NOW NIL),
R/O. SOWBHAGYA NAGAR,
BEHIND SUSHILADEVI COLLEGE, LATUR,
DIST. LATUR(MS)-413510.
2. BABU S/O RENU RATHOD,
AGE: 50 YEARS, OCC: DRIVER OF





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NEKRTC BUS DEPOT. NO. 2,
BEARING NO. KA-32-F-1889,
R/O. BADADAL, TQ. AFZALPUR,
DIST. KALABURAGI-585121.

...RESPONDENTS

(R1 SERVED & UNREPRESENTED ;
R2 NOTICE IS DISPENSED WITH)

THIS MFA IS FILED UNDER SECTION 173(1) OF MOTOR VEHICLES ACT, PRAYING TO MODIFY THE ORDER OF THE TRIBUNAL AND CALL FOR THE LOWER COURT RECORDS AND HEAR THE PARTIES AND SET ASIDE THE JUDGMENT DATED 30.04.2021 AND AWARD DATED 06.05.2021 IN MVC NO.46/2020, BEFORE IN THE COURT OF II ADDITIONAL DISTRICT AND SESSIONS COURT AND ADDL. MACT, BIDAR SITTING AT BASAVAKALYAN.

IN MFA NO. 201150/2021

BETWEEN:

THE DIVISIONAL CONTROLLER, NEKRTC.
KALABURAGI DIVISION, KALABURAGI,
(NEKRTC CONTROLLING AUTHORITY),
NOW REPRESENTED THROUGH BY ITS,
CHIEF LAW OFFICER, NEKRTC,
CENTRAL OFFICE, SARIGE SADHANA,
MAIN ROAD, KALABURAGI-585101.

...APPELLANT

(BY SRI. SHARANABASAPPA M. PATIL, ADVOCATE)

AND:

1. BHAGIRATIBAI W/O DINKAR RAMTIRTHA,
AGE: 56 YEARS, OCC: AGRICULTURE AND
MILK VENDING (NOW NIL),
R/O. BHUTMUGALI, TQ. NILANGA,
DIST. LATUR (MS)-413510.



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2. BABU S/O RENU RATHOD,
AGE: 50 YEARS, OCC: DRIVER OF
NEKRTC BUS DEPOT NO.2,
BEARING NO. KA-32-F-1889,
R/O. BADADAL, TQ. AFZALPUR,
DIST. KALABURAGI-585121.

...RESPONDENTS

(NOTICE TO R1 SERVED;
V/O DTD.03.04.2025 NOTICE TO R2 IS DISPENSED WITH)

THIS MFA IS FILED UNDER SECTION 173(1) OF MOTOR VEHICLES ACT, PRAYING TO MODIFY THE ORDER OF THE TRIBUNAL AND CALL FOR THE LOWER COURT RECORDS AND HEAR THE PARTIES AND SET ASIDE THE JUDGMENT DATED 30.04.2021 AND AWARD DATED 06.05.2021 IN MVC NO.45/2020, BEFORE IN THE COURT OF II ADDITIONAL DISTRICT AND SESSIONS COURT AND ADDL. MACT, BIDAR SITTING AT BASAVAKALYAN.

IN MFA NO. 201151/2021

BETWEEN:

THE DIVISIONAL CONTROLLER, NEKRTC,
KALABURAGI DIVISION, KALABURAGI,
(NEKRTC CONTROLLING AUTHORITY),
NOW REPRESENTED THROUGH BY ITS
CHIEF LAW OFFICER, NEKRTC,
CENTRAL OFFICE, SARIGE SADHANA,
MAIN ROAD, KALABURAGI-585101.

...APPELLANT

(BY SRI. SHARANABASAPPA M. PATIL, ADVOCATE)

AND:

1. VAISHALI W/O SOUDAGAR GAIKWAD,
AGE: 39 YEARS, OCC: WORKING AS
CLERK AT SSC BOARD (NOW NIL),



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R/O SOWBHAGYA NAGAR,
BEHIND SUSHILADEVI COLLEGE, LATUR,
DIST. LATUR (MS)-413510.

2. BABU S/O RENU RATHOD,
AGE: 50 YEARS, OCC: DRIVER OF
NEKRTC BUS DEPOT NO.2
BEARING NO. KA-32-F-1889,
R/O. BADADAL, TQ. AFZALPUR,
DIST. KALABURAGI-585121.

...RESPONDENTS

(V/O DTD.03.04.2025 NOTICE TO R1 IS HELD
SUFFICIENT AND NOTICE TO R2 IS DISPENSED WITH)

THIS MFA IS FILED UNDER SECTION 173(1) OF MOTOR
VEHICLES ACT, PRAYING TO, MODIFY THE ORDER OF THE
TRIBUNAL AND CALL FOR THE LOWER COURT RECORDS AND
HEAR THE PARTIES AND SET ASIDE THE JUDGMENT DATED
30.04.2021 AND AWARD DATED 06.05.2021 IN MVC
NO.49/2020. BEFORE IN THE COURT OF II ADDL. DISTRICT AND
SESSIONS COURT AND ADDL. MACT AT BIDAR, SITTING AT
BASAVANAKALYAN.

IN MFA NO. 201153/2021

BETWEEN:

THE DIVISIONAL CONTROLLER, NEKRTC,
KALABURAGI DIVISION, KALABURAGI,
(NEKRTC CONTROLLING AUTHORITY),
NOW REPRESENTED THROUGH BY ITS,
CHIEF LAW OFFICER, NEKRTC,
CENTRAL OFFICE, SARIGE SADHANA,
MAIN ROAD, KALABURAGI-585101.

...APPELLANT

(BY SRI. SHARANABASAPPA M. PATIL., ADVOCATE)



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AND:

1. KARUNA D/O MUKESH SHINDE,
AGE: 22 YEARS, OCC: STUDENT (NOW NIL),
SOUBHAGYA NAGAR,
BEHIND SUSHILADEVI COLLEGE,
LATUR, DIST. LATUR (MS)-413510.
2. BABU S/O RENU RATHOD,
AGE: 50 YEARS, OCC: DRIVER OF
NEKRTC BUS DEPOT NO.2,
BEARING NO. KA-32-F-1889,
R/O. BADADAL, TQ. AFZALPUR,
DIST. KALABURAGI-585121.

...RESPONDENTS

(V/O DTD.03.04.2025 NOTICE TO R2
DISPENSED WITH;
V/O DTD.30.06.2026 NOTICE TO R1
IS HELD SUFFICIENT;)

THIS MFA IS FILED UNDER SECTION 173(1) OF MOTOR
VEHICLES ACT, PRAYING TO, MODIFY THE ORDER OF THE
TRIBUNAL AND CALL FOR THE LOWER COURT RECORDS AND
HEAR THE PARTIES AND SET ASIDE THE JUDGMENT DATED
30.04.2021 AND AWARD DATED 06.05.2021 IN MVC
NO.40/2020, BEFORE IN THE COURT OF II ADDITIONAL
DISTRICT AND SESSIONS COURT AND ADDL. MACT AT BIDAR,
SITTING AT BASAVAKALYAN.

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

CORAM: HON'BLE MR. JUSTICE K V ARAVIND



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ORAL JUDGMENT

Heard Sri Sharanabasappa M. Patil, learned counsel appearing for the Transport Corporation.

2. These appeals are filed by the Transport Corporation challenging the common judgment dated 30.04.2021 and award dated 06.05.2021 passed in MVC Nos.40/2020 connected with 45/2020, 46/2020, and 49/2020 by the II-Additional District and Sessions Judge, and Additional Motor Accident Claims Tribunal, Bidar, sitting at Basavakalyan (hereinafter referred to as the "Tribunal").

3. The claimants were travelling in a Cruiser Jeep bearing registration No.MH-23/E-6376, which met with an accident involving a Bus bearing registration No.KA-32/F-1889 on 20.04.2019. The Transport Corporation filed its statement of objections denying its liability and also contending that the negligence was attributable to the driver of the Cruiser Jeep. The Tribunal, based on the evidence on record, awarded a global compensation of Rs.50,000/- to each of the claimants, together with interest at 9% per annum.



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4. Sri Sharanabasappa M. Patil, learned counsel appearing for the appellant-Transport Corporation, submits that the entire liability has been fastened on the Transport Corporation on the ground that the Cruiser Jeep was not covered by a valid insurance policy. He submits that, since it is a case of composite negligence, the claim petitions ought to have been filed against the owners and insurers of both the vehicles. The Tribunal committed an error in directing the Transport Corporation alone to pay the compensation.

5. Though the respondents have been served, they remain unrepresented.

6. Considered the submissions made by learned counsel for the appellant-Transport Corporation and perused the record.

7. The only ground urged in these appeals pertains to the negligence of the driver of the Cruiser Jeep in causing the accident. It is contended that negligence ought to have been attributed to the driver of the Cruiser Jeep. The complaint was filed by one of the occupants of the Cruiser Jeep, on the basis of which Ex.P1-FIR came to be registered. As per the description of the accident in the complaint, the accident



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occurred due to the negligence of the drivers of both the vehicles.

7.1 Ex.P2 is the Crime Detail Form/Spot Panchanama along with the spot sketch. As per Ex.P2, the accident occurred at an intersection of four roads. The Cruiser Jeep was proceeding on the main road, which is a four-lane highway with a divider. As per the evidence on record, the accident occurred when the Bus took a U-turn on the highway. Ex.P4 is the Motor Vehicle Inspection Report, which records the damages sustained by both the vehicles. The left side of the Bus sustained damage, whereas the front portion of the Cruiser Jeep sustained multiple damages. The nature of the damages to the vehicles indicates that no negligence can be attributed to the driver of the Cruiser Jeep in causing the accident. The accident appears to have occurred due to the sudden entry of the Bus onto the main road, thereby obstructing the path of the Cruiser Jeep.

7.2 The finding recorded by the Tribunal fastening liability on the Transport Corporation is based on the evidence available on record. This Court finds no error or infirmity warranting interference. Accordingly, all the appeals are devoid of merit.



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7.3 Moreover, the Tribunal has awarded a global compensation of Rs.50,000/- to each of the claimants in all the claim petitions. Considering the quantum of compensation awarded, no further exercise is warranted.

8. Accordingly, the appeals stand ***dismissed***.

The amount in deposit shall be transferred to Tribunal forthwith.

Sd/-
(K V ARAVIND)
JUDGE

NB
List No.: 1 Sl No.: 48
CT:PK