

ITEM NO.23

COURT NO.8

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 8748/2026

[Arising out of impugned final judgment and order dated 04-09-2025 in MFA No.103317/2018 passed by the High Court of Karnataka Circuit Bench at Dharwad]

THE NEW INDIA ASSURANCE CO LTD

Petitioner

VERSUS

MALLAMMA & ORS.

Respondents

I.A. No.65540/2026-CONDONATION OF DELAY IN FILING

I.A. No.65539/2026-EXEMPTION FROM FILING O.T.

Date : 13-03-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPANKAR DATTA

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) :Ms. Awantika Manohar, AOR
Ms. Parul Dhurvey, Adv.

For Respondent(s) :Mr. C B Gururaj, Adv.
Mr. Naveen Chandrashekar, Adv.
Ms. Ilashri Gaur, Adv.
Ms. Pragya Smriti, Adv.
Mr. K P Singh, Adv.
M/S. Gururaj & Nayak, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Issue notice, on the application for condonation of delay as well as on the special leave petition, to the respondents 4 and 5.
2. However, notice on the special leave petition is limited to the question as to why the insurer - petitioner will not be granted liberty to recover the amount it is liable to pay in terms of the impugned order from the owner of

the offending vehicle.

3. The amount to be paid as compensation assessed by the Motor Accidents Claims Tribunal, since modified by the High Court, shall however be paid to the claimants at the first instance by the insurer and the owner in the manner as directed by the High Court, without prejudice to their rights and contentions.

(RASHMI DHYANI PANT)
ASST. REGISTRAR-CUM-PS

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)