

ITEM NO.33

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
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.12441/2026

[Arising out of impugned final judgment and order dated 08-12-2025 in MFA No. 6340/2022 passed by the High Court of Karnataka at Bengaluru]

BASAPPA

Petitioner(s)

VERSUS

M.D.MOHAN & ANR.

Respondent(s)

FOR ADMISSION

IA No. 102589/2026 - EXEMPTION FROM FILING O.T.

Date : 10-04-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) :Mr. Abhay Choudhary M, Adv.
Ms. Anuradha Mutatkar, AOR

For Respondent(s) :

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

1. By the impugned order dated 08th December, 2025, the High Court has dismissed the petitioner's appeal¹ under Section 173 of the Motor Vehicles Act, 1988 on the ground that the petitioner did not comply with an earlier order of the Court and did not present himself before the Medical Board at the District Hospital, Tumkur.
2. A reading of the impugned order reveals that the petitioner was required to appear before the Medical Board for assessing his disability for the purpose of computation of just compensation.

¹ Miscellaneous First Appeal No.6340/2022 (MV-1)

3. It is contended before us on behalf of the petitioner that because of his physical disability, he was unable to comply with the Court's order. He seeks one final opportunity.

4. Though not interfering with the impugned order, we repose trust that the High Court in its magnanimity shall grant the petitioner one last opportunity to have his disability assessed.

5. With that in view, we grant liberty to the petitioner to apply before the High Court under Section 151 of the Code of Civil Procedure, 1908, within a fortnight from date, for recall of the impugned order. In the event such application is presented by the petitioner, the High Court may decide the same in the light of the observation made hereinabove. If the High Court permits the petitioner but he does not appear before the Medical Board once again, he shall be accorded no further opportunity.

6. The special leave petition is, accordingly, disposed of together with pending application(s), if any.

(RASHI GUPTA)
COURT MASTER (SH)

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)