

The Divisional Controller vs K. Manjunatha S/O Late Kaverappa

The Divisional Controller vs K. Manjunatha S/O Late Kaverappa

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Court : Karnataka Dharwad

Decided On : Oct-28-2025

Judge : Chillakur Sumalatha

Appeal No. : MFA/101326/2017

Appellant : The Divisional Controller

Respondent : K. Manjunatha S/O Late Kaverappa

Advocate for Pet/Ap. : Sri. S.C.Bhuti, Sri. S.C. Bhuti

Judgement :

-1- IN THE HIGH COURT OF KARNATAKA, AT DHARWAD DATED THIS THE 28TH DAY OF OCTOBER 2025 BEFORE THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA MISCELLANEOUS FIRST APPEAL NO.101326 OF 2017 (MV-I) BETWEEN: OWNER AND INSURER OF THE KSRTC BUS BEARING REG.NO. KA-40/F-837, OFFICE AT OFFICE OF BENGALURU (CENTRAL) DIVISION, BENGALURU-560027. NOW REPRESENTED BY ITS CHIEF LAW OFFICER. Digitally signed by GIRIJA A. APPELLANT BYAHATTI Location: HIGH (BY SRI. S.C. BHUTI, ADVOCATE) COURT OF KARNATAKA DHARWAD BENCH AND: Date: 2025.10.31 11:00:36 +0530

1. K. MANJUNATHA S/O. LATE KAVERAPPA, AGED ABOUT 28 YEARS, EX-MAISON, R/O. GANDHI NAGAR, CHALLAKERE TOWN, CHITRADURGA DISTRICT-577522, -2- NOW R/O. VALMIKI STREET, BELLARI-583101.

2. DADAPEER

S/O. GANI SAB, AGED ABOUT 60 YEARS, DRIVER OF THE KSRTC BUS BEARING REG.NO. KA-40F-837, BADGE NO.991, WORKING AT 1ST DEPT, BENGALURU KENDRA VIBHAGA K.H. ROAD, BENGALURU-560027. RESPONDENTS (NOTICE TO R2-DISPENSED WITH) THIS MFA IS FILED UNDER SECTION 173(1) OF MOTOR VEHICLES ACT, 1988 PRAYING TO CALL FOR THE RECORDS AND MODIFY/SET-ASIDE THE JUDGMENT AND AWARD IN M.V.C. NO.697/2014 DATED 1ST DAY OF JULY 2016 ON THE FILE OF THE MOTOR ACCIDENT CLAIMS TRIBUNAL NO.II, BALLARI IN FIXING THE ENTIRE THE LIABILITY ON THE APPELLANT AND ALSO THE QUANTUM OF AWARD AMOUNT, WHICH IS AT HIGHER SIDE IN THE INTEREST OF JUSTICE AND EQUITY. THIS APPEAL COMING ON FOR ORDERS THIS DAY,

JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA -3-

ORAL JUDGMENT

(PER: THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA) Heard Sri S.C.Bhuti learned counsel for the appellant.

2. This appeal is the out come of the award that is

passed by the Motor Accident Claims Tribunal-II, Ballari in MVC.No.697/2014 dated 01.07.2016. Entertaining the petition filed by respondent No.1 herein for grant of compensation of Rs.12,00,000/- in total, the tribunal awarded a sum of Rs.2,16,000/- through the impugned award.

3. On this day Sri S.C. Bhuti learned counsel for the

appellant submits that in case this Court is of the view that the amount granted as compensation is justifiable, the Court may pass necessary orders to that effect.

4. Having gone through the contents of the

impugned order, this Court is of the view that the sum that is awarded as compensation cannot be termed to be -4- exorbitant. Therefore this Court is of the opinion that the appeal deserves to be dismissed.

5. Resultantly the appeal stands dismissed.

6. Amount if any in deposit be transmitted to the

concerned tribunal forthwith. Consequently I.A.No.1 of 2017 filed for condonation of delay is allowed and I.A.No.2 of 2017 which is filed seeking stay of the operation of the impugned order stands dismissed. Sd/- (CHILLAKUR SUMALATHA) JUDGE EM CT-MCK List No.: 1 SI No.: 5

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