



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 9283 OF 2024 (GM-AC)

BETWEEN:

THE REGIONAL MANAGER
ICICI LOMBARD GENERAL
INSURANCE CO. LTD
C-22, MAXIMUS
COMMERCIAL COMPLEX
L.H.H. ROAD, HAMPANAKATTE
MANGALORE 01
NOW REPRESETED BY
THE REGIONAL MANAGER
ICICI LOMBARD GENEAL
INSURANCE CO. LTD,
9TH FLOOR, THE ESTATE 121
DICKENSON ROAD,
M G ROAD, BENGLAURU 560 042
COMPANGY REGISTERE
U/S COMPANIES ACT 1956.

...PETITIONER

(BY SRI. A N KRISHNA SWAMY.,ADVOCATE)





AND:

1. DORESWAMY
S/O THIMMEGOWDA
AGED ABOUT 45 YEARS
BELGULI VILLAGE
DANDIGANAHALLI HOBLI
CHANNARAYAPATNA TALUK
HASSAN DISTRICT 573 116.

2. KIRAN H D
S/O DHANAPALE GOWDA
AGED ABOUT 39 YEARS
OLD NEHURU BOREWELL
OFFICE BACKSIDE
HASSAN CITY
HASSAN 573201.

...RESPONDENTS

(BY SRI. GIRISH G K., ADVOCATE FOR R1)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER AS PER ANNEXURE-D DATED 14.02.24 PASSED BY 4TH ADDL. DISTRICT AND SESSIONS JUDGE AND MACT, HASSAN (SIT AT CHANNARAYPATNA) ON IA FILED UNDER ORDER 7 RULE 11 (d) READ WITH SECTION 151 OF CPC READ WITH 166(3) OF IMV ACT IN MVC NO. 496/23; ALLOW THE APPLICATION FILED BY THE PETITIONER AS PER ANNEXURE -B AND HOLD THAT CLAIM PETITION AS PER ANNEXURE-A IS NOT MAINTAINABLE.



THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

This petition is by the Insurer who is called upon to answer a claim under Section 166 of the Motor Vehicles Act, 1988 [for short, '*the Act*'] in the claim petition in MVC No.496/2023 on the file of the IV Additional District and Sessions Judge, Channarayapatna [for short, '*the Tribunal*']. The petitioner has filed an application under Order VII Rule 11[d] read with Section 151 of the Code of Civil Procedure, 1908 contending that the claim petition cannot be entertained because it is filed beyond six months from the date of accident. The Tribunal, by the impugned order dated 14.02.2024, has rejected the petitioner's application.



The question: whether a claim petition filed beyond six months from the date of the accident can be entertained is pending with the Apex Court in SLP Nos.8412-8413/2023 and similar matters in the writ petition in WP [Civil] No. 166/2024 and connected matters. It remains undisputed that the Apex Court by its interim order dated 16.12.2025 has observed that the pendency of the writ petitions/special leave petitions before it shall not come in the way of the claim petitions being adjudicated by the Tribunals but with the stipulation that judgments shall not be finalized.

This Court is of the considered view that with the afore-stipulation, this petition must be disposed of observing that the Tribunal's impugned order will be subject to the outcome in the pending matters before the Apex Court. With this arrangement, the inquiry into the merits of the claim petition will continue, but the Tribunal will refrain from



pronouncing its judgment and award so that the decision on the merit of the claim petition otherwise will be subject to the Apex Court's decision on the afore question.

The petition stands disposed of accordingly.

**SD/-
(B M SHYAM PRASAD)
JUDGE**