

IN THE HIGH COURT OF KARNATAKA, KALABURAGI BENCH

DATED THIS THE 21ST DAY OF AUGUST, 2025 BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR MISCL. FIRST APPEAL NO. 201236 OF 2025 (MV-I)

BETWEEN:

THE DIVISIONAL MANAGER,
THE UNITED INDIA INSURANCE COMPANY LIMITED,
DIVISIONAL OFFICE AT ANAGA COMPLEX,
NEAR MOULESHWAR CHOWK,
RAICHUR - 584 101.

...APPELLANT

(BY SRI MOHD ABDUL QUAYUM, ADVOCATE)

AND:

1. NINGAMMA

W/O DODDA MALLAPPA,

AGE: 35 YEARS,

OCC: AGRI (NOW NIL)

R/O: GINIWAR, TQ: SINDHANUR,

DIST: RAICHUR, NOW R/O: ASHAPUR VILLAGE, TQ: AND DIST: RAICHUR.

2. CHANNABASAV

S/O EARESHWAPPA @ VEERESH,

AGE: 34 YEARS,

OCC: DRIVER OF CRUISER NO. KA 23/M-9827,

R/O: GINIVAR, TQ: SINDHANUR,

DIST: RAICHUR - 584 128.





YARIAPPA

S/O LINGANA GOUDA,

AGE: 49 YEARS,

OCC: OWNER OF CRUISER

NO.KA 23/M-9827,

R/O: H.NO.155, BASAVESHWARA CIRCLE,

ALABANUR, TQ: SINDHANUR, DIST: RAICHUR - 584 103.

...RESPONDENTS

THIS MFA IS FILED UNDER SECTION 173 (1) OF THE MOTOR VEHICLES ACT, PRAYING TO SET ASIDE THE JUDGMENT AND AWARD DATED 06.08.2024 PASSED IN M.V.C.NO.577/2022 BY THE III ADDITIONAL SENIOR CIVIL JUDGE AND J.M.F.C., AT RAICHUR, EXONERATING THE APPELLANT OF ITS LIABILITY AND ETC.

THIS MFA, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL JUDGMENT

This appeal is filed challenging the judgment and award dated 06.08.2024 passed in MVC No.577/2022 by the III Additional Senior Civil Judge and JMFC, Raichur. The amount of compensation awarded under impugned judgment is Rs.41,000/- (rupees Forty One Thousand only).

2. As per Sub -Section (2) of Section 173 of the Motor Vehicles Act, 1988 the appeal will not lie against the

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award of motor accident claims tribunal if the amount in dispute is less than one lakh rupees. Hence, the appeal is not maintainable.

3. In view of the above, the appeal is **dismissed** as not maintainable.

Sd/-(SHIVASHANKAR AMARANNAVAR) JUDGE

DSP

List No.: 1 SI No.: 6