IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 4TH DAY OF APRIL, 2025

BEFORE

THE HON'BLE MR. JUSTICE C.M. JOSHI

MISCL. FIRST APPEAL NO.202366/2023(MV-I)

BETWEEN:

PRAVEENKUMAR S/O JUGLAL,
AGE: 43 YEARS, OCC: BUSINESS,
R/O SANWLOD, TEHSIL BUHANA,
DIST. JHUNJHUNU,
RAJASTAN-333 502.

…APPELLANT

(BY SRI SACHIN M. MAHAJAN, ADVOCATE)

AND:

Digitally signed by SHIVALEELA DATTATRAYA UDAGI
Location: HIGH COURT OF KARNATAKA

1. RANI W/O RITESH GUPTA,
   AGE: 32 YEARS, OCC: HOUSEHOLD WORK,
   R/O TELEGAON, TALUK MAVAL,
   DIST. PUNE,
   MAHARASHTRA-410 506.

2. THE BRANCH MANAGER,
   NEW INDIA ASSURANCE CO. LTD.,
   HANAMSHETTY BUILDING, GURKUL ROAD,
   VIJAYAPURA-586 101.

…RESPONDENTS

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER SECTION 173(1) OF THE MOTOR VEHICLES ACT, PRAYING TO SET ASIDE THE JUDGMENT AND AWARD DATED 21.02.2023

PASSED BY THE III ADDITIONAL SENIOR CIVIL JUDGE AND MACT-XII, AT VIJAYAPURA, IN MVC NO.103/2016 AND FASTEN THE LIABILITY ON THE INSURANCE COMPANY BY ALLOWING THE APPEAL.

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

CORAM: HON'BLE MR. JUSTICE C.M. JOSHI

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE C.M. JOSHI)

The valuation of the appeal being less than Rs.1,00,000/-, is hit by the provisions of Section 173 of the M.V. Act, therefore, the appeal is dismissed as not maintainable.

2. However, the appellant is at liberty to seek any other remedy available under law.

Sd/-
(C.M. JOSHI)
JUDGE

SBS
List No.: 2 Sl No.: 15
CT: AK