

IN THE HIGH COURT OF KARNATAKA, BANGALORE

DATED THIS THE 16<sup>TH</sup> DAY OF SEPTEMBER 2003

BEFORE

THE HON'BLE MR. JUSTICE H.G. RAMESH

C.R.P.NO.2561 OF 2002

BETWEEN:

RANGANGOUDA SAKRIGOUDA PATIL  
56 YRS, OCC: AGRICULTURE,  
R/O SANDIGWAD, TQ: RON,  
DIST. GADAG. ... PETITIONER

(By Sri S P KULKARNI AND S.Y. SHEVALLI, ADVS.)

AND:

- 1 SANGAPPA S/O HAVALAPPA MADAR  
AGED MAJOR, R/O SANDIGAWAD,  
TQ. RON, DIST. GADAG.
- 2 DYAMANNA BASAPPA NALAWAD  
MAJOR, OCC: DRIVER,  
R/O CHIKKANANNUR, TQ: RON.
- 3 THE DIVISIONAL MANAGER  
THE ORIENTAL INSURANCE CO LTD.,  
KIRLOSKAR ROAD, BELGAUM.  
(INSURER OF THE TRACTOR  
AND TRAILOR BEARING NO.CNW 9708  
& MEZ 8966). ... RESPONDENTS

(By Sri A M VENKATESH, ADV. FOR R3; R1 SERVED)

THIS C.R.P. FILED U/S.115 CPC AGAINST THE  
JUDGMENT AND AWARD DATED:14.3.02 PASSED IN MVC  
NO.923/91 ON THE FILE OF THE ADDL.MACT,  
SAUNDATTI, PARTLY ALLOWING THE CLAIM PETITION FOR  
COMPENSATION.

THIS C.R.P. COMING ON FOR FURTHER ORDERS  
THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

This revision petition filed under section 115 of CPC is directed against the Judgment and Award dated 14.3.2002 passed in MVC No.923/91 by the Additional M.A.C.T., Saundatti.

2. A Five Judges Bench of this Court in UNION OF INDIA V/S. M/S. MYSORE PAPER MILLS LIMITED (M.F.A.NO.1896/1997 and connected matters disposed of on 29.8.2003) has held that Motor Accidents Claims Tribunal is not a Court sub-ordinate to the High Court falling within the ambit of Section 115 CPC and that revision petition against its Order/judgment is not maintainable.

3. Following the aforesaid Judgment of this Court, this Revision Petition is dismissed as not maintainable. However, this order of dismissal will not come in the way of the petitioner availing of any other remedy as against the impugned Judgment and Award.

Petition dismissed.

Sd/   
Judge