

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. OF 2025
(Arising out of SLP(C) Nos. 19830-19832/2022)

THE DIVISIONAL MANAGER
NEW INDIA ASSURANCE COMPANY LTD. APPELLANT(S)

VERSUS

SHAANABASAPPA & ORS. RESPONDENT(S)

ORDER

1. Leave granted.
2. Heard learned counsel for the appellant and learned counsel for the respondent Nos. 2 and 3.
3. The challenge in these appeals is to the judgment and order dated 13.04.2022 passed by the High Court upholding the award of compensation in a motor accident case but shifting the liability of payment of compensation upon the Assurance Company as against the owner of the vehicle.
4. The Tribunal by its order has directed for the payment of compensation fixing the liability upon the owner/driver of the vehicle as the driver was not holding a valid driving license as on the date of the accident i.e., 15.02.2019.
5. It is an admitted fact that the driver of

the offending vehicle was having a valid driving license which had expired on 20.01.2018. He had applied for its renewal on 06.09.2018 and the license was renewed on 16.02.2019.

6. The submission of learned counsel for the appellant is that the driver had not applied for the renewal of the license within the period of 30 days as prescribed under Section 15(1) of the Motor Vehicles Act, 1988¹ and therefore, the renewal will be applicable only from the date of renewal of the license i.e. 16.02.2019. Therefore, he was not having a valid driving license as on the date of accident i.e., 15.02.2019.

7. The provision of Section 15(1) of the Act is very clear and it provides for the renewal of driving licenses. It lays down that a licensing authority may, on an application made to it, renew a driving license issued under the Act from date from its expiry. But the first proviso to the above provision clearly states that where application for renewal of a license is not made within the prescribed period of 30 days or is made after the expiry of 30 days, the driving license shall be renewed with effect from the date of its renewal.

1 hereinafter referred to as 'the Act'.

8. In the case at hand, the driving license had expired On 20.01.2018 and its renewal was applied on 06.09.2018. This fact is reflected from the extract of the driving license Exhibit-R.11, which has been brought on record by way of additional affidavit.

9. Since the renewal of the driving license was applied after more than 30 days of its expiry, the proviso to Section 15(1) of the Act would be attracted and the renewal of the license would be from the date of its renewal i.e. 16.02.2019 only. It, therefore, means that the driver was not holding a valid driving license as on the date of accident i.e. 15.02.2019.

10. In view of the aforesaid facts and circumstances of the present cases, we are of the opinion that the High Court has manifestly erred in law in shifting the liability of payment of compensation upon the Assurance Company.

11. Accordingly, we set aside the impugned judgment and order of the High Court insofar as it shifts the liability and hold that the liability to pay compensation rests upon the owner/driver of the vehicle. However, the Assurance Company would

satisfy the same in the first instance and may recover it from the owner/ driver.

12. The present appeals are allowed in the above terms.

13. Pending application(s), if any, shall stand disposed of.

.....J.
[PANKAJ MITHAL]

.....J.
[S.V.N. BHATTI]

NEW DELHI;
APRIL 24, 2025.
SD

ITEM NO.1

COURT NO.15

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petitions for Special Leave to Appeal (C) Nos. 19830-19832/2022

[Arising out of common impugned final judgment and order dated 13-04-2022 in MFA No. 100211/2021(MV-D); in MFA No. 100212/2021 (MV) and in MFA CROB No. 100060/2021(MV-D) passed by the High Court of Karnataka Circuit Bench at Dharwad]

**THE DIVISIONAL MANAGER
 NEW INDIA ASSURANCE COMPANY LTD.**

PETITIONER(S)

VERSUS

SHAANABASAPPA & ORS.

RESPONDENT(S)

(IA No. 61200/2025 - EXEMPTION FROM FILING O.T.; IA No. 143113/2022 - EXEMPTION FROM FILING O.T. and IA No. 61197/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 24-04-2025 This matter was called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE PANKAJ MITHAL
 HON'BLE MR. JUSTICE S.V.N. BHATTI**

**For Petitioner(s) Ms. Awantika Manohar, AOR
 Ms. Parul Dhurvey, Adv.**

**For Respondent(s) Mr. C. M. Angadi, Adv.
 Mr. Rameshwar Prasad Goyal, AOR**

**UPON hearing the counsel the Court made the following
 O R D E R**

- 1. The present appeals are allowed in terms of the signed order which is placed on the file.**
- 2. Pending application(s), if any, shall stand disposed of.**

**(SNEHA DAS)
 SENIOR PERSONAL ASSISTANT**

**(NIDHI MATHUR)
 COURT MASTER (NSH)**