



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE UMESH M ADIGA

MISCELLANEOUS FIRST APPEAL NO. 7007 OF 2023 (MV-I)

BETWEEN:

SMT. KAMALAMMA
W/O HORIGOWDA,
AGED ABOUT 62 YEARS,
R/O OBALAPURA VILLAGE,
BAGURU HOBLI,
CHANNARAYAPATNA TALUK,
HASSAN DISTRICT - 573 111.

...APPELLANT

(BY SRI. RAJARAMA S, ADVOCATE)

AND:

DIVISIONAL CONTROLLER
K.S.R.T.C.,
HASSAN DIVISION,
HASSAN.

...RESPONDENT

(BY SRI. D. VIJAY KUMAR, ADVOCATE)

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 02.01.2023 PASSED IN MVC NO.643/2021 ON THE FILE OF THE MOTOR ACCIDENTS CLAIMS TRIBUNAL AND SENIOR CIVIL JUDGE, CHANNARAYAPATNA, HASSAN, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION.

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ANNAPURNA G
Location: HIGH
COURT OF
KARNATAKA



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

CORAM: HON'BLE MR. JUSTICE UMESH M ADIGA

ORAL JUDGMENT

This appeal is filed by the claimant being aggrieved by the judgment and award dated 02nd January 2023, passed by the Senior Civil Judge and Member, MACT, Channarayapatna, Hassan, (for short `Tribunal'), in MVC No.643/2021, seeking enhancement of compensation.

Though this appeal is slated for admission, with the consent of both the parties it is taken up for final disposal.

2. For the sake of convenience, the parties are referred to as per their ranking before the Tribunal.

3. The brief facts of the case are that, on 07.12.2019, at about 04.00 p.m., the claimant while travelling as a pillion rider on the motorcycle bearing registration No.KA-13-EN-8287, met with an accident due to rash and negligent driving of the bus belonging to respondent-corporation bearing registration No.KA-13-F-2094. As a result, the claimant



sustained injuries. With these reasons, she prayed to award the compensation.

4. The respondent denied the petition averments and prayed to dismiss the claim petition.

5. From the rival contentions of the parties, the Tribunal framed necessary issues.

6. The claimant to prove her case examined one witness as PW-1 and marked 21 documents, as per Exs.P-1 to P-21. Respondent examined one witness as RW-1 and marked documents as Exs.R-1 and R-2.

7. The Tribunal after hearing both the parties and appreciating the materials available on record, held that the accident occurred due to rash and negligent driving of offending vehicle by its driver. The said fact is not disputed in the present appeal. Therefore, there is no need to reconsider the same.

8. The Tribunal has elaborately discussed the evidence of the claimant while assessing the amount of compensation. On reconsideration of the same, the amount of compensation awarded by the Tribunal on the some of the



heads are on the lower side especially under the heads pain and suffering, medical and incidental expenses and loss of income during laid up period. On reconsidering the same, the claimant is entitled to enhancement of global compensation of Rs.25,000/- on all the heads.

9. The claimant is also entitled for interest on the said amount at the rate of 6% per annum from the date of petition till its realization, excluding the delayed period of 189 days in filing the appeal.

10. Undisputedly respondent-corporation is liable to pay the said amount.

11. In the result, I proceed to pass the following:

ORDER

- i) The Appeal is ***allowed***.
- ii) The impugned judgment and award dated 02nd January 2023, passed in MVC.No.643/2021, by the Senior Civil Judge and Member, MACT, Channarayapatna, Hassan, stands modified;



iii) The claimant is entitled to enhancement of global compensation of Rs.25,000/-, with interest at the rate of 6% p.a., from the date of petition till its realization, excluding the delayed period of 189 days in filing the appeal.

iv) The enhanced amount of compensation is marginal. Therefore, entire amount is ordered to be released in favour of claimant on due identification.

v) Draw award accordingly.

Registry is directed to send copy of this judgment to the concerned Tribunal.

Sd/-
(UMESH M ADIGA)
JUDGE

AMA
List No.: 1 Sl No.: 10