



CNR: KAHC010063992021

NC: 2026:KHC:45298
MFA No. 1128 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

MISCELLANEOUS FIRST APPEAL NO. 1128 OF 2021 (ECA)

BETWEEN:

SRI SHIVARAJ
S/O VENKATARAMANAPPA
AGED ABOUT 31 YEARS,
R/AT KAPPALAMADAGU VILLAGE,
AND POST, MULBAGAL TALUK.

...APPELLANT

(BY SRI. NANJEGOWDA T.V, ADVOCATE)

AND:

1. MANJUNATH A.G
S/O GOPALAPPA V
AGED ABOUT
R/AT AJJAPPANAHALLI VILLAGE,
KEMBODI POST, KOLAR TALUK
(OWNER OF THE EICHER
TEMPO BEARING REG NO.KA-07-9117)

2. RELIANCE GENERAL INSURANCE
COMPANY, 5TH FLOOR
CENTENARY BUILDING,
M.G.ROAD, BANGALORE.

...RESPONDENTS

(BY SRI. H.S LINGARAJU, ADVOCATE FOR R2,
VIDE COURT ORDER DATED 20.08.2026, NOTICE TO R1 IS
DISPENSED WITH)

Digitally signed by
PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



CNR: KAHC010063992021

NC: 2026:KHC:45298
MFA No. 1128 of 2021

THIS MFA IS FILED U/S 30(1) OF THE EMPLOYEES COMPENSATION ACT, AGAINST THE JUDGMENT AND AWARD DATED. 22.07.2020, PASSED IN ECA NO.13/2014, ON THE FILE OF THE II-ADDITIONAL SENIOR CIVIL JUDGE AND JMFC., CUM COMMISSIONER FOR WORKMEN COMPENSATION, KOLAR, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL JUDGMENT

1. The claimant/employee, being dissatisfied with the compensation of Rs.68,327/- awarded in E.C.A.No.13/2014 by the II Additional Senior Civil Judge and JMFC-cum-Commissioner for Workmen Compensation, Kolar (for brevity, "the Commissioner"), has preferred this appeal.
2. The fact that the accident having occurred during the course of employment and the relationship of employer and employee between the parties are not in dispute.
3. On appreciation of the evidence on record, the Commissioner has awarded compensation of Rs.68,327/- along with interest at the rate of 12% per annum.



CNR: KAHC010063992021

4. The vehement contention of the learned counsel for the appellant that the Commissioner has erred in assessing the monthly income of the injured claimant at Rs.3,500/- and, consequently, taking 60% thereof, i.e., Rs.2,100/-, as the monthly wages for the purpose of computation under the Employees' Compensation Act. However, he fairly submits that, the claimant has sustained 45% disability to the right lower limb and, the Commissioner is justified by taking one-third thereof, the disability to the whole body would be 15%.

5. As per the notification issued by the Central Government dated 31.05.2010, the minimum wages are required to be taken at Rs.8,000/-. Since the accident occurred on 10.03.2012, the monthly wages of the claimant are accordingly taken at Rs.8,000/-. Thus, 60% thereof, i.e., Rs.4,800/-, is required to be taken as the monthly wages. Applying the relevant factor of 216.91 and the disability of 15%, the claimant is entitled to compensation of **Rs.1,56,175/-** (Rs.4,800/- $\times$ 25% $\times$ 216.91) towards '*loss of income*'. Considering medical bills produced by the claimant at Ex.P6, the claimant is also entitled to a sum of **Rs.20,195/-** towards



NC: 2026:KHC:45298
MFA No. 1128 of 2021

CNR: KAHC010063992021

'*medical expenses*'. Thus, the total compensation payable to the claimant works out to **Rs.1,76,370/-** as against Rs.68,327/- awarded by the Commissioner.

6. Accordingly, the claimant is held entitled to total compensation of **Rs.1,76,370/-** as against Rs.68,327/- awarded by the Commissioner, together with interest at the rate of 12% per annum from one month after the date of the accident till the date of deposit.

7. The Insurance Company is directed to deposit the enhanced compensation amount before the Commissioner within six weeks from the date of receipt of a certified copy of this judgment.

Accordingly, the appeal is ***allowed in part.***

**SD/-
(RAJESH RAI K)
JUDGE**

CR
List No.: 1 Sl No.: 3