



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

MISCELLANEOUS FIRST APPEAL NO. 1219 OF 2015 (MV-D)

C/W

MISCELLANEOUS FIRST APPEAL NO. 3884 OF 2015 (MV-D)

IN MFA No. 1219/2015

BETWEEN:

LEGAL MANAGER
RELIANCE GENERAL INSURANCE CO. LTD.,
REGIONAL OFFICE,
5th FLOOR, CENTENARY BUILDING
NO.28, M.G. ROAD,
BANGALORE - 560 001.

...APPELLANT

(BY SRI. PRADEEP B., ADVOCATE)

AND:

1. RAMANJAPPA G
S/O GUNDA HANUMAPPA,
NOW AGED ABOUT 62 YEARS,
2. SMT. AKKAMMA
W/O RAMANJAPPA G
NOW AGED ABOUT 52 YEARS,
ALL ARE R/O NO.106,
T. SOOLKUNTA, VILLAGE & POST,
H.O. MADAKKAL,
DENKANIKOTE TALUK,
KRISHNAGIRI DISTRICT - 635 118.

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by
PADMASHREE
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Location: High
Court of
Karnataka



3. SRI. KARTHIK B.,
S/O D. BALASUBRAMANI,
MAJOR,
R/O #186, ANJANEYA COMPOUND,
NEAR OM SHANKTHI TEMPLE,
HOODY MAHADEVAPURA,
BANGALORE DISTRICT,
AND ALSO RAT NO.139/1,
CHENNAKESHA NILAYA
RUPENA AGRAHARA,
BANGALORE - 68.

...RESPONDENTS

(R1 AND R2 ARE SERVED AND UNREPRESENTED;
VIDE ORDER DATED 31.10.2017, NOTICE TO R3 IS
DISPENSED WITH)

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE
JUDGMENT AND AWARD DATED 11.12.2014 PASSED IN MVC
NO.6508/2010 ON THE FILE OF THE XVIII ADDITIONAL JUDGE,
MEMBER, MACT-4, COURT OF SMALL CAUSES, BANGALORE,
AWARDING COMPENSATION OF Rs.8,55,000/- WITH INTEREST
@ 6% P.A. FROM THE DATE OF PETITION TILL DEPOSIT.

IN MFA NO. 3884/2015

BETWEEN:

1. SRI. RAMANJAPPA G.,
S/O GUNDA HANUMAPPA
AGED ABOUT 59 YEARS,
2. SMT. AKKAMMA
W/O RAMANJAPPA G
AGED ABOUT 49 YEARS,

BOTH ARE RESIDING AT NO.106
T SOOLKUNTA VILLAGE AND POST,



NC: 2026:KHC:33429
MFA No. 1219 of 2015
C/W MFA No. 3884 of 2015

H.O. MADAKKAL, DENKANIKOTE TQ.,
KRISHNAGIRI DISTRICT - 635 118.

...APPELLANTS

(BY SMT. SRIVIDYA G.K, ADVOCATE)

AND:

1. THE MANAGER
M/S. RELIANCE GENRAL INSURANCE
CO. LTD., 5TH FLOOR,
CENTENARY BUILDING,
NO.28, M.G. ROAD,
BENGALURU - 560 027.
2. SRI. KARTHIK B
S/O SRI. D. BALASUBRAMANIAN
MAJOR, R/AT # 186,
ANJANEYA COMPOUND, NEAR OM
SHAKTHI TEMPLE, HOODY MAHADEVAPURA,
BENGALURU.
ALSO AT NO.139/1, CHENNAPPA LAYOUT,
CHENNA KESHAHA NILAYA,
RUPENA AGRAHARA,
BENGALURU - 560 068.

...RESPONDENTS

(BY SRI. ASHOK N. PATIL, ADVOCATE;
VIDE ORDER DATED 15.07.2016, NOTICE TO R2 IS
DISPENSED WITH)

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST
THE JUDGMENT AND AWARD DATED 11.12.2014 PASSED
IN MVC NO.6508/2010 ON THE FILE OF THE XVIII
ADDITIONAL JUDGE, COURT OF SMALL CAUSES, MEMBER,
MACT-4, BANGALORE, PARTLY ALLOWING THE CLAIM
PETITION FOR COMPENSATION AND SEEKING



ENHANCEMENT OF COMPENSATION.

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

CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA

COMMON JUDGMENT

Both the matters are to be disposed of in one appeal, as both the appeals are filed against the same order. Hence, a common order is passed in both the appeals.

2. M.F.A.No.3884/2015 is filed by the claimants for enhancement of compensation and M.F.A.No.1219/2015 is filed by the Insurance Company disputing the quantum under Section 173(1) of Motor Vehicles Act, 1988, challenging the judgment and award dated 11.12.2014 passed in M.V.C.No.6508/2010, by the Court of XVIII Additional Judge, Court of Small Causes, Member, MACT-4, Bangalore, (hereinafter referred to as 'the Tribunal').



3. On 12.01.2009, Kum. R. Anjaladevi met with an accident and died. Her parents filed a claim petition claiming compensation of Rs.8,50,000/-. Considering the entire evidence on record, the Tribunal granted an amount of Rs.8,55,000/- with interest rate of 6% per annum from the date of petition till the date of deposit.

4. Aggrieved by the said order, respondent No.1/Insurance Company preferred an appeal in M.F.A.No.1219/2015 and mainly contended that the Tribunal erred in taking future prospects at the rate of 50% instead of 40%. Thus, it requested for modification of the order.

5. The appellants also filed an appeal in M.F.A.No.3884/2015 for enhancement of compensation against the same order and contented that Kum. R. Anjaladevi was earning ₹6,000/- per month and that the Tribunal has not granted reasonable amounts under the



various heads and that interest was to be granted at a higher rate.

6. It is stated that Kum.R.Anjaladevi was aged 23 years and working as a house marketing processor and earning Rs.6,000/- per month, but no income proof is filed. She met with an incident in the year 2009. Therefore, her notional income is to be taken as Rs.5,000/- per month. The Tribunal has rightly considered her notional income as per the chart prepared by the Karnataka State Legal Services Authorities. She was aged 23 years and the relevant multiplier is '18'. The appellant is entitled for 40% towards future prospects as per the decision of the Hon'ble Supreme Court in the case of ***Insurance Company Limited Vs. Pranay Sethi¹***, and 50% is to be deducted towards personal expenses. Accordingly, the loss of dependency comes to Rs.7,56,000/-. (Rs.5,000/- + 40% X 12 X 18 - 50%)

¹ (2017) 16 SCC 680



7. Appellants/claimants Nos.1 and 2 are entitled for an amount of Rs.40,000/- each towards filial consortium and they are also entitled for Rs.30,000/- under the conventional heads as per the decision of Hon'ble Supreme Court in the case of ***Magma General Insurance Company Limited Vs. Nanu Ram Alias Chuhru Ram & others²***.

8. Thus, the claimants are entitled to the following compensation:

Compensation under different heads	Amount in (Rs.)
Loss of dependency	7,56,000/-
Filial consortium (Rs.40,000/- X 2)	80,000/-
Conventional head	30,000/-
Total	8,66,000/-

9. In summary, the appellants/claimants are entitled to a total compensation of Rs.8,66,000/- as

² (2018) 18 SCC 130



against to Rs.8,55,000/- awarded by the Tribunal. The enhanced compensation amounts to Rs.11,000/-. To this extent, the award passed by the Tribunal is modified.

10. In the result, the following order is passed:

ORDER

- i. Appeals are ***allowed*** in part.
- ii. The judgment and award dated 11.12.2014 passed in MVC No.6508/2010, by XVIII Additional Judge, Court of Small Causes, Member, MACT-4, Bangalore, is hereby modified;
- iii. The appellants-claimants are entitled to enhanced compensation of Rs.11,000/- (Rs.8,66,000/- minus Rs.6,55,000/-) along with interest at the rate of 6% p.a. from the date of petition till its realization.
- iv. Insurance Company is directed to deposit enhanced compensation of Rs.11,000/- along with interest at the rate of 6% p.a. within one month from the date of receipt of a copy of this order.



NC: 2026:KHC:33429
MFA No. 1219 of 2015
C/W MFA No. 3884 of 2015

- v. On such deposit, appellant No.2/mother is directed to withdraw the said amount.
- vi. The amount in deposit is to be transferred to MACT.

Sd/-
(P SREE SUDHA)
JUDGE