



CNR: KAHC010297512026

NC: 2026:KHC:42636
MFA No. 3149 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

MISCELLANEOUS FIRST APPEAL NO. 3149 OF 2026 (MV-I)

BETWEEN:

SMT. SAROJAMMA
W/O SUBBARAYAPPA,
AGED ABOUT 68 YEARS,
RESIDING AT: #76, NAGALA MADIKE,
TUMKUR - 572 136.

...APPELLANT

(BY SRI. GURUDEVA PRASAD K.T., ADVOCATE)

AND:

1. M/S. UNITED INDIA INSURANCE CO. LTD
BY ITS MANAGER, REGIONAL OFFICE,
5TH AND 6TH FLOOR,
KRISHI BHAAN, HUDSON CIRCLE,
BENGALURU - 560 001.

2. KAMALA GOVINDARAJAN
C/O V.GOVINDARAJAN,
AGED ABOUT 35 YEARS,
R/AT 1/12, SARJAPURA ROAD,
ANEKAL,
BENGALURU - 560 070.

...RESPONDENTS

(BY SRI. MALLIKARJUNA REDDY N.A., ADVOCATE FOR
SRI. A.M.VENKATESH, ADVOCATE FOR R1;
VIDE ORDER DATED 02.06.2026, NOTICE TO R2 IS
DISPENSED WITH)

Digitally signed by
LAKSHMINARAYANA
MURTHY RAJASHRI

Location: HIGH
COURT OF
KARNATAKA



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THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 09.10.2025 PASSED IN MVC NO.6396/2024 ON THE FILE OF THE X ADDITIONAL SMALL CAUSES AND MOTOR ACCIDENT CLAIMS TRIBUNAL, AT BENGALURU, 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 SHIVASHANKAR AMARANNAVAR

ORAL JUDGMENT

This appeal is filed by the claimant seeking enhancement of compensation awarded in the Judgment and Award dated 09.10.2025 passed in MVC No.6396/2024 by X Additional Judge, Court of Small Causes and Member, MACT, Bengaluru (SCCH-16).

2. Even though the matter is listed today for orders/admission, with the consent of both the learned counsel for appellant and learned counsel for respondent No.1/insurer, the matter is taken up for disposal.



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3. The appellant/claimant made a claim petition seeking for award of compensation for the injury sustained by her in a road traffic accident occurred on 30.06.2024 contending that the accident occurred due to rash and negligent driving by the driver of Car bearing registration No.KA-51-ME-2636.

4. The Tribunal recorded the evidence adduced by the parties and upon appreciating the evidence on record, assessed the compensation and awarded the compensation under various heads as under:

Sl. No.	Particulars	Amount
1.	Loss of future income	Rs. -Nil-
2.	Medical expenses	Rs. 69,506/-
3.	Pain and sufferings	Rs. 40,000/-
4.	Attendant charges	Rs. 5,000/-
5.	Food and nourishment	Rs. 4,000/-
6.	Conveyance expenses	Rs. 5,000/-
7.	Loss of income during treatment period	Rs. -Nil-
8.	Loss of amenities	Rs. 30,000/-
9.	Future medical expenses	Rs. -Nil-
	Total	Rs. 1,53,506/-



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5. The Tribunal has also awarded the interest at the rate of 6% per annum from the date of petition till realisation and directed respondent No.1/insurer to pay the compensation awarded with interest. The claimant has filed the present appeal seeking enhancement of compensation.

6. Heard the learned counsel for appellant and learned counsel for respondent No.1/insurer.

7. Learned counsel for the appellant would contend that, the claimant has sustained undisplaced fracture of spinal disk and she was admitted in hospital for five (05) days and considering the same, she is entitled to loss of income during laid up period for three (03) months taking notional income at Rs.17,000/- per month. With these, he prayed to allow the appeal.

8. Learned counsel for respondent No.1/insurer would contend that, the compensation awarded on all heads is just and proper and there are not grounds for



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enhancement. With these, he prayed for dismissal of the appeal.

9. Having heard the learned counsel for the appellant and learned counsel for respondent No.1/insurer, the Court has perused the Judgment and Award.

10. Considering the injury sustained by the claimant and as she was admitted in hospital for five (05) days, she has to be awarded loss of income during laid up period.

11. Considering the said aspect, the claimant is entitled to enhanced global compensation of Rs.40,000/- with interest at the rate of 6% per annum from the date of petition till realisation.

12. Respondent No.1/insurer is liable to pay enhanced compensation amount with interest.

13. In view of the above, the following:



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ORDER

- i) *Miscellaneous First Appeal is **allowed-in-part**.*
- ii) *The appellant/claimant is entitled to enhanced global compensation of Rs.40,000/- with interest at the rate of 6% per annum from the date of petition till realisation.*
- iii) *Respondent No.1/insurer shall deposit the enhanced global compensation amount with interest before the Tribunal within a period of six weeks from this day.*
- iv) *The appellant/claimant is entitled to release of entire enhanced global compensation with interest.*

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE