



CNR: KAHC010299212026

NC: 2026:KHC:45303
MFA No. 3134 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

MISCELLANEOUS FIRST APPEAL No. 3134 OF 2026

(MV-D)

BETWEEN:

1. SMT. JAYAMMA
W/O. LATE. KASHI GOWDA,
AGED ABOUT 58 YEARS.
2. SMT. DIVYA
W/O. RAVI,
AGED ABOUT 32 YEARS.
3. SMT. NEELAMMA
W/O. LATE. MAYAPPA,
AGED ABOUT 77 YEARS,

1ST AND 3RD APPELLANTS ARE R/AT:
THERUBEEDI VILLAGE,
MARALAVADI HOBLI,
HAROHALLI TALUK,
BANGALORE SOUTH DIST-562 117.

2ND APPELLANT R/AT: MARASARAHALI VILLAGE
BANAVASI, HAROHALLI HOBLI AND TALUK
BANGALORE SOUTH DISTRICT – 562 117.

...APPELLANTS

(BY SMT. NITHYA ABHILASH, ADVOCATE FOR
SRI. PRAKASH M H, ADVOCATE)

Digitally signed by
LAKSHMINARAYANA
MURTHY RAJASHRI
Location: HIGH
COURT OF
KARNATAKA



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AND:

1. SRI N K NAGESH
S/O. NALUR CHANNAPPA KRISHNAPPA,
AGE MAJOR,
R/AT No.3,94/5, 9TH MAIN ROAD,
2ND CROSS, G. B. PALYA ROAD,
NEAR ICICI ATM AND AYYAPPA TEMPLE
HONGASANDRA,
BANGALORE-560 068.
2. ROYAL SUNDARAM GEN. INS. CO. LTD.,
OFFICE AT No.30, 3RD FLOOR,
JNR CITY CENTRE, RAJA RAM MOHAN ROY ROAD
SAMPANGI RAMANAGARA,
BANGALORE-560 027.
REP. BY LEGAL MANAGER.

...RESPONDENTS

(BY SRI MALLIKARJUNA REDDY N A, ADVOCATE FOR
SRI B PRADEEP, ADVOCATE FOR R2
V/O DTD. 28.7.2026 NOTICE TO R1 IS DISPENSED WITH)

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT,
AGAINST THE JUDGMENT AND AWARD DATED:27/10/2025
PASSED IN MVC No.4827/2024 ON THE FILE OF THE I ADDL.
SMALL CAUSES JUDGE AND ACJM AND MOTOR VEHICLES
ACCIDENT CLAIM TRIBUNAL, BENGALURU., PARTLY ALLOWING
THE CLAIM PETITION FOR COMPENSATION AND SEEKING
ENHANCEMENT OF COMPENSATION.

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR



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ORAL JUDGMENT

This appeal is filed by the appellants/claimants seeking enhancement of compensation awarded in judgment and award dated 27.10.2025 passed in MVC No.4827/2024 by the I Additional Small Causes Judge and Member, MACT, Bengaluru (SCCH-11).

2. Even though the appeal is listed today for admission, it is taken up for disposal with the consent of learned counsel for appellants and learned counsel for respondent No.2/insurer.

3. The appellants made a claim petition praying to award compensation for the death of Kashi Gowda in a road traffic accident occurred on 02.06.2024 contending that the accident occurred due to rash and negligent driving of the driver of Fortuner Car bearing Regn.No.KA-03-NC-3000. The Tribunal after recording the evidence of the parties, appreciating the evidence assessed the



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compensation and awarded compensation under various heads as under:

Sl.No.	Heads	Amount in (Rs.)
01.	Towards dependency and loss of estate	15,97,200/-
02.	Towards consortium	
	1. Spousal consortium	48,400/-
	2. parental consortium	48,400/-
	3. Filial consortium	48,400/-
03.	Towards loss of estate and funeral expenses	36,300/-
04.	Towards medical expenses	8,142/-
	Total	17,86,842/-

4. The Tribunal also awarded interest @ 6% p.a. from the date of petition till realization and directed respondent No.2/insurer to deposit the award amount with interest. The claimants seeking enhancement of compensation have filed the present appeal.

5. Heard learned counsel for the appellants and learned counsel for respondent No.2/insurer.

6. Learned counsel for appellants would contend that the accident occurred in the year 2024 and for the said year, the notional income fixed by the Karnataka State



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Legal Services Authority is Rs.17,000/-p.m. and that is to be taken as against Rs.16,500/- taken by the Tribunal. The Tribunal has rightly added 10% towards future prospects, deducted 1/3rd towards personal expenses of the deceased and applied multiplier '11'. The compensation awarded under other heads is just and proper. With this he prayed to allow the appeal.

7. Learned counsel for respondent No.2/insurer would contend that the compensation awarded by the Tribunal on all heads is just and proper and there are no grounds for enhancement.

8. Having heard the learned counsels, the Court has perused the judgment and award.

9. The accident occurred on 02.06.2024 and as on the date of accident, the deceased was aged 50 years. As per chart prepared by the Karnataka State Legal Services Authority, the notional income fixed for the year 2024 is Rs.17,000/- p.m. and that is to be taken as against



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Rs.16,500/- taken by the Tribunal. The Tribunal has rightly added 10% towards future prospects, deducted $1/3^{\text{rd}}$ towards personal expenses of the deceased and applied multiplier '11'. In view of the above, loss of dependency is calculated as under:

$$\text{Rs.17,000} + 1,700 (10\%) = 18,700 - 1/3 = 12,647/-$$

$$\text{Rs.12,467} \times 12 \times 11 = \text{Rs.16,45,644/-}$$

10. The claimants are entitled to loss of dependency in a sum of Rs.16,45,644/- as against Rs.15,97,200/- awarded by the Tribunal. Consequently, the claimants are entitled to enhanced compensation of Rs.48,444/- with interest @ 6% p.a. from the date of petition till realization. Respondent No.2/insurer is liable to pay the said enhanced compensation with interest.

11. In view of the above, the following:

ORDER

- i) The appeal is allowed in part.



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- ii) The appellants/claimants are entitled to enhanced compensation of Rs.48,444/- with interest @ 6% p.a. from the date of petition till realization.
- iii) Respondent No.2/insurer shall deposit the enhanced compensation with interest before the Tribunal within a period of six weeks from this day.
- iv) Appellants/claimants are entitled to release of entire enhanced compensation in the ratio of 40:40:20 as determined by the Tribunal.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

DKB
List No.: 1 Sl No.: 46
Ct.sm