



CNR: KAHC010374012026

NC: 2026:KHC:56141
MFA No. 3967 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR
MISCELLANEOUS FIRST APPEAL NO. 3967 OF 2026 (MV-I)

BETWEEN:

SRI. ARUN N.,
S/O. NAGARAJCHARI,
AGED 24 YEARS,
R/AT: NO.127, 1ST DIVISION,
HAROHALLI TOWN AND TALUK,
BANGALORE SOUTH DIST - 562 117.

...APPELLANT

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

AND:

THE MANAGING DIRECTOR,
KSRTC DEPT. K. H. ROAD,
SHANTHINAGAR,
BANGALORE - 560 027.

...RESPONDENT

(BY SMT. NAYANASHREE A.K., ADVOCATE FOR
SRI. ASHOK N. NAYAK, ADVOCATE)

THIS MFA IS FILED U/S.173(1) OF MV ACT, AGAINST THE
JUDGMENT AND AWARD DATED. 29/01/2026 PASSED IN MVC
NO. 1804/2025 ON THE FILE OF THE MOTOR VEHICLES
ACCIDENT CLAIM TRIBUNAL, BENGALURU. (SCCH-17), PARTLY

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ALLOWING THE CLAIM PETITION FOR COMPENSATION AND
SEEKING ENHANCEMENT OF COMPENSATION AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL JUDGMENT

This appeal is filed by the appellant -claimant seeking
enhancement of compensation awarded in judgment and
award dated 29.01.2026 passed in MVC No.1804/2025 by
XIX Additional Judge, Court of Small Causes and MACT,
Bengaluru (SCCH-17).

2. Even though the appeal is listed today for
admission, it is taken up for disposal with the consent of
learned counsel for appellant and learned counsel for
respondent.

3. The appellant made a claim petition praying to
award compensation for the injuries sustained by him in a
road traffic accident occurred on 27.02.2025 contending
that the accident occurred due to rash and negligent

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driving of the driver of KSRTC Bus bearing registration No.KA-42/F-2158. The Tribunal after recording the evidence of the parties, appreciating the evidence assessed the compensation and awarded compensation under various heads as under:

Sl.No.	Heads	Amount in (Rs.)
01.	Towards Pain and Suffering	45,000/-
02.	Towards Medical Expenses	4,91,200/-
03.	Towards loss of income during laid up period	68,000/-
04.	Towards Disability	3,67,200/-
05.	Towards Food, nourishment and conveyance	30,000/-
05.	Towards attendant charges	11,000/-
06.	Towards loss of amenities	35,000/-
07.	Towards Future medical expenses	NIL
Total		10,47,400/-

4. The Tribunal also awarded interest at the rate of 6% per annum from the date of petition till realization and directed respondent -insurer to deposit the award amount with interest. The claimant seeking enhancement of compensation has filed the present appeal.

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5. Heard learned counsel for the appellant and learned counsel for respondent –insurer.

6. The accident occurred on 27.02.2023 and as on the date of accident the claimant was aged 23 years. Considering the said age of the claimant, the Tribunal has rightly applied multiplier '18'. The notional income fixed for the year 2025 by Karnataka State Legal Service Authority is Rs.18,000/- per month and the said income is to be taken as against Rs.17,000/- as taken by the Tribunal. The Tribunal has taken disability at 10% and the appellant - claimant has not disputed the said disability taken by the Tribunal. In view of above, loss of future income due to disability is calculated as under:

$$\text{Rs.18,000/-} \times 12 \times 18 \times 10\% = \text{Rs.3,88,800/-}$$

7. The claimant has sustained the following injuries:

- i) Concusive head injury- diffuse axonal injury grade –I

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- ii) Left parasymphyseal and right angle comminuted mandible fracture
- iii) Underwent open reduction internal fixation of left parasymphyseal+right angle of mandible fracture.

Considering the said injuries, the compensation awarded by the Tribunal towards pain and suffering in a sum of Rs.45,000/- is enhanced to Rs.90,000/- and loss of amenities awarded in a sum of Rs.25,000/- is enhanced to Rs.70,000/-. Considering the said injuries, the claimant has to take rest at least for 04 months and the Tribunal has awarded loss of income during laid up period for 04 months taking the income at Rs.17,000/- per month. As now income taken is Rs.18,000/- per month and therefore, the claimant is entitled to loss of income during laid up period in a sum of Rs.72,000/- (Rs.18,000/- x 04 months). The claimant has been admitted in the hospital for 11 days. Considering same, the Tribunal has rightly awarded attendant and conveyance charges, food and nourishment etc., in a sum of Rs.11,000/-. The claimant is not entitled

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separately towards food and nourishment in a sum of Rs.30,000/- as awarded by the Tribunal. The Tribunal based on the documents has rightly awarded medical expenses of Rs.4,91,200/-.

8. In view of the above, the appellant -claimant is entitled to total compensation under various heads as under:

Sl.No.	Heads	Amount in (Rs.)
01.	Towards Pain and Suffering	90,000/-
02.	Towards Medical Expenses	4,91,200/-
03.	Towards loss of income during laid up period	72,000/-
04.	Towards loss of future income to disability	3,88,800/-
05.	Towards attendant, conveyance charges, food and nourishment etc.,	11,000/-
06.	Towards loss of amenities	70,000/-
Total		11,23,000/-

The claimant is entitled total compensation of Rs.11,23,000/- as against Rs.10,47,400/- as awarded by the Tribunal with interest. Consequently, the claimant is entitled to enhanced compensation of Rs.75,600/- with interest at the rate of 6% per annum from the date of

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petition till realization. The respondent is liable to pay the said enhanced compensation with interest.

9. In view of the above, the following

ORDER

- i) The appeal is ***allowed in part.***
- ii) The appellant -claimant is entitled to enhanced compensation of Rs.75,600/- with interest at the rate of 6% per annum from the date of petition till realization.
- iii) The respondent shall deposit the said enhanced compensation with interest within a period of 6 weeks from this day.
- iv) The appellant claimant is entitled to release of entire enhanced compensation.

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(SHIVASHANKAR AMARANNAVAR)
JUDGE

DSP
List No.: 1 Sl No.: 29
CT:ABS