



CNR: KAHC010383342026

NC: 2026:KHC:50244
MFA No. 4148 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

MISCELLANEOUS FIRST APPEAL No. 4148 OF 2026

(MV-I)

BETWEEN:

RATHNAMMA
W/O REVANASIDDHA
NOW AGED ABOUT 39 YEARS
R/AT, BHEDSUR
KALABURAGI KARNATAKA-585 322.

...APPELLANT

(BY SRI N R RANGE Gowda, Advocate)

AND:

1. RAMANANDA S
S/O M.V. SRINIVAS MURTHY
R/AT, WARD No.02
SOMESHWARA TEMPLE ROAD
GANGADHARAPURA
KARNATAKA- 561 203.

2. UNITED INDIA INSURANCE COMPANY LTD.,
REP. BY ITS MANAGER, 5TH AND 6TH FLOOR
KRISHIN BHAVAN, NRUPATHUNGA ROAD
BANGALORE-560 001.

...RESPONDENTS

(BY SMT. MANJULA N TEJASWI, Advocate for R2
V/O DTD. 18.06.2026, Notice to R1 is D/W)

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



CNR: KAHC010383342026

NC: 2026:KHC:50244
MFA No. 4148 of 2026

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED:12/02/2026 PASSED IN MVC No.691/2025 ON THE FILE OF THE COURT OF IX ADDL. SMALL CAUSES JUDGE AND ACJM, COURT OF SMALL CAUSES, 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

ORAL JUDGMENT

1. This appeal is filed by the claimant seeking enhancement of compensation awarded in the judgment and award dated 12.02.2026 passed in MVC No. 691/2025 by the IX Additional Small Causes Judge and Member MACT Bangalore (SCCH-7).

2. Even though the appeal is listed for Admission today, with the consent of the learned counsel appearing for appellant – claimant and learned counsel appearing for respondent No. 2 – Insurer it is taken up for disposal.

3. Appellant – claimant made a claim petition praying to award compensation for the injuries sustained



CNR: KAHC010383342026

NC: 2026:KHC:50244
MFA No. 4148 of 2026

by her in a road traffic accident that occurred on 06.12.2024 due to the rash and negligent driving by the rider of motorcycle bearing registration No. KA-50-EN-9635. The Tribunal after recording evidence, appreciating the evidence on record, assessed the compensation and awarded compensation under different heads as under:

Sl. No.	Compensation under different heads	Amount in (Rs)
1	Loss of future income due to disability	5,10,300-00
2	Pain and suffering, mental agony	1,00,000-00
3	Special diet and conveyance	80,000-00
4	Loss of amenities	1,00,000-00
5	Loss of income during laid up period	94,500-00
6	Actual Medical expenses	3,53,782-00
7	Future medical expenses	50,000-00
	Total	12,88,582-00

4. The Tribunal has also awarded interest at the rate of 6% p.a. from date of petition till the date of realization and directed respondent No. 2 – Insurer to



deposit the said award amount with interest. Claimant seeking enhancement of the compensation awarded, has filed the present appeal.

5. Heard learned counsel for appellant – claimant and learned counsel for respondent No. 2 – Insurer.

6. The accident occurred on 06.12.2024 and as on the date of accident the appellant was aged about 32 years and her avocation was coolie. Learned counsel for appellant submits that he is seeking enhancement of compensation only under the head 'loss of future income due to disability' by taking the notional income as per the chart prepared by the Karnataka State Legal Services Authority in a sum of Rs.17,000/- as against Rs.15,750/- taken by the Tribunal and he is not seeking enhancement under other heads.

7. Learned counsel for respondent No. 2 - Insurer submits that the Tribunal has awarded compensation under other heads on higher side and considering the



CNR: KAHC010383342026

**NC: 2026:KHC:50244
MFA No. 4148 of 2026**

same, the claimant is not entitled for enhancement under the head 'loss of future income due to disability'.

8. The Tribunal has taken the notional income of the claimant at Rs.15,750/- and no reasons are mentioned for taking the said income by the Tribunal. The notional income fixed by the Karnataka State Legal Services Authority for the year 2024 is Rs.17,000/- and the same is to be taken as against Rs.15,750/- taken by the Tribunal. The Tribunal has rightly applied multiplier of '15' and taken disability at 18%.

9. In view of the above, 'loss of future income due to disability' is calculated as under:

$$17,000 \times 12 \times 15 \times 18\% = \text{Rs.}5,50,800/-$$

10. Considering the above aspects claimant is entitled to 'loss of future income due to disability' in a sum of Rs.5,50,800/- as against Rs.5,10,300/- awarded by the Tribunal. Consequently, claimant is entitled to enhanced compensation of Rs.40,500/- with interest at the



rate of 6% p.a. from the date of petition till the date of realization. Respondent No. 2 – Insurer is liable to pay the said enhanced compensation with interest.

11. In view of the above, the following;

ORDER

- a) Appeal is allowed in part.
- b) Appellant - claimant is entitled to enhanced compensation of Rs.40,500/- with interest at the rate of 6% p.a. from the date of petition till the date of realization.
- c) Respondent No. 2 – Insurer shall deposit the enhanced compensation with interest before the Tribunal within six weeks from this day.
- d) Appellant - claimant is entitled to release of entire enhanced compensation.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE