



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

MISCELLANEOUS FIRST APPEAL NO. 7385 OF 2017

(MV-D)

BETWEEN:

1. NATIONAL INSURANCE CO LTD
REGIONAL OFFICE
#144, SUBHARAM COMPELX
M.G.ROAD, BANGALORE-560 001
REP BY ITS ADMINISTRATIVE OFFICER
SMT C K PARIMALA

...APPELLANT

(BY SRI. B C SEETHA RAMA RAO .,ADVOCATE, SRI ANUP
SEETHARAMA RAO ADVOCATE.)

AND:

1. MRS MAIMUM
@ MAIMUNA @ MAIMUNNISA
RESIDENT OF HYDARI NAGAR
WARD NO.20, MULBAGAL TOWN

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by
PADMASREE
SHEKHAR
DESAI

Location: High
Court of
Karnataka



2. MR MUNNA @ MUNAWAR
S/O LATE ABDUL SAB
RESIDENT OF HYDARI NAGAR
WARD NO.20, MULBAGAL TOWN

3. SRI SUNIL KUMAR B C
S/O SRI B G CHAKRPANI
RESIDING AT NO.907, KONGADIYAPPA ROAD
DODDABALLAPUR TOWN
BENGALURU RURAL DISTRICT

...RESPONDENTS

(BY SRI. SUSHMITHA G.,ADVOCATE FOR R1 & R2

SRI. V. KESHAHA RAO MOHITE, ADVOCATE FOR R3.)

MFA FILED U/S 173(1) OF MV ACT AGAINST THE
JUDGMENT AND AWARD DATED 21.03.2017 PASSED IN MVC
NO.441/2015 ON THE FILE OF THE 2ND ADDITIONAL SENIOR
CIVIL JUDGE & MACT, KOLAR, (ITINERATING AT MULBAGAL)
AWARDING COMPENSATION OF RS.10,17,000/- WITH
INTEREST AT 6% P.A. FROM THE DATE OF PETITION TILL ITS
REALIZATION.

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



CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA

ORAL JUDGMENT

Heard the arguments of the learned counsel appearing for the parties.

2. This appeal is filled against the award of the Tribunal dated 21.03.2017 passed in MVC No.441/2015 dated 21.03.2017.

3. M. Ghouse Pasha met with an accident on 20.11.2014 and died subsequently. His parents filed claim petition claiming compensation of Rs. 25,00,000/-. The Tribunal considering the entire evidence on record granted an amount of Rs.10,17,000/- with interest at the rate of interest 6% per annum from date of petition till realization.

4. Aggrieved by the said order, Insurance Company preferred appeal on the ground that the age of the mother was wrongly taken and the multiplier is taken as '18' instead of '13' and father is a coolie and he is not dependent on the deceased and Tribunal erred in granting 50% towards future prospects. Therefore, requested for modification of the order.



5. In view of the decision reported by the Hon'ble Supreme Court in ***National Insurance Company Vs. Pranay Sethi*** case reported in ***(2017)16 SCC 680***, for taking the multiplier, the age of the deceased is to be considered, but not the age of the mother. Therefore, the grounds taken by the Appellant-Insurance Company cannot be considered and the appeal is devoid of merits and is dismissed, confirming the order of the Tribunal.

6. Insurance company is directed to deposit the balance amount and on such deposit, claimants are permitted to withdraw the entire amount as per the apportionment of the Tribunal.

The amount deposited before this court is to be transferred to MACT.

**Sd/-
(P SREE SUDHA)
JUDGE**