



CNR: KAHC010427322025

NC: 2026:KHC:50692
MFA No. 4887 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

MISCELLANEOUS FIRST APPEAL NO. 4887 OF 2025
(MV-I)

BETWEEN:

H.R. CHANDRASHEKAR
S/O RAJASHEKAR,
AGED ABOUT 43 YEARS,
R/AT AMBIKANAGARA, ARASINAKUNTE,
BENGALURU RURAL - 562 123.

...APPELLANT

(BY SRI. SATHISHA T., ADVOCATE)

AND:

THE MANAGING DIRECTOR
KSRTC DEPOT,
BENGALURU CENTRAL OFFICE,
K.H. ROAD, SHANTHINAGAR,
BENGALURU - 560 027.

...RESPONDENT

Digitally signed
by
PADMAASHREE
SHEKHAR
DESAI

Location: HIGH
COURT OF
KARNATAKA

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

THIS MFA IS FILED U/S.173(1) OF MV ACT AGAINST THE
JUDGMENT AND AWARD DATED 07.10.2024 PASSED IN MVC
NO.2502/2023 ON THE FILE OF THE XXII ADDITIONAL SMALL



NC: 2026:KHC:50692
MFA No. 4887 of 2025

CNR: KAHC010427322025

CAUSES JUDGE AND ACJM AND MEMBER, MACT, BENGALURU (SCCH-24) 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

This appeal is filed by the claimant seeking enhancement of compensation awarded in the Judgment and Award dated 07.10.2024 passed in MVC No.2502/2023 by XXII Additional Small Causes Judge and ACJM and Member, MACT, Bengaluru (SCCH-24).

2. Even though the matter is listed today for admission, with the consent of both the learned counsel for appellant and learned counsel for respondent/KSRTC, the matter is taken up for disposal.



3. The appellant/claimant made a claim petition seeking for award of compensation for the injury sustained by him in a road traffic accident occurred on 16.03.2023 contending that the accident occurred due to rash and negligent driving by the driver of KSRTC bus bearing registration No.KA-57-F-4282.

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.	Towards pain and sufferings	Rs. 60,000/-
2.	Towards conveyance, attendant charges and nourishing food	Rs. 25,000/-
3.	Towards loss of income during laid up period	Rs. 31,000/-
4.	Loss of future income	Rs. 2,60,400/-
5.	Medical expenses	Rs. 73,858/-
6.	Future medical expenses	Rs. 25,000/-
7.	Loss of comfort and amenities	Rs. 20,000/-
	Total	Rs. 4,95,258/-



CNR: KAHC010427322025

5. The Tribunal has also awarded the interest at the rate of 6% per annum from the date of petition till realisation and directed the respondent/KSRTC 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/KSRTC.

7. The accident occurred on 16.03.2023 and as on the date of accident, the claimant was aged forty one (41) years and considering the same, the Tribunal has rightly applied multiplier '14'. The occupation of the claimant is stated to be Driver. The Tribunal has taken notional income of Rs.15,500/-. Ex.P9 is a copy of Driving License of the claimant to drive Light Motor Vehicle. Considering the fact that the claimant is a Driver, the income of the claimant is to be taken higher than the notional income. Therefore, the income of the claimant is to be taken at



Rs.18,000/- per month. Learned counsel for the appellant/claimant has not disputed the disability taken by the Tribunal at 10%. In view of the same, loss of future income is calculated as under:

$$\text{Rs.18,000/-} \times 12 \times 14 \times 10\% = \text{Rs.3,02,400/-}$$

8. The claimant has sustained fracture of humerus. Considering the same, the compensation awarded towards pain and suffering in a sum of Rs.60,000/- and loss of amenities in a sum of Rs.20,000/- is just and proper.

9. The claimant has been admitted in hospital for nine (09) days. Considering the same, the compensation awarded towards attendant, conveyance charges etc. is just and proper. The Tribunal has awarded loss of income during laid up period for two (02) months by taking the income at Rs.15,500/-. Considering the injury sustained, the claimant has to take rest atleast for (03) months. Therefore, he is entitled to loss of income during laid up



CNR: KAHC010427322025

NC: 2026:KHC:50692
MFA No. 4887 of 2025

period for (03) months i.e., Rs.54,000/- (Rs.18,000/- X 03 months).

10. The Tribunal considering the evidence on record has rightly awarded medical expenses and future medical expenses.

11. Considering all the above aspects, the claimant is entitled to total compensation under various heads as under:

Sl. No.	Particulars	Amount
1.	Pain and sufferings	Rs. 60,000/-
2.	Attendant, conveyance charges etc.	Rs. 25,000/-
3.	Loss of income during laid up period	Rs. 54,000/-
4.	Loss of future income	Rs. 3,02,400/-
5.	Medical expenses	Rs. 73,858/-
6.	Future medical expenses	Rs. 25,000/-
7.	Loss of amenities	Rs. 20,000/-
	Total	Rs. 5,60,258/-

12. The claimant is entitled to total compensation of Rs.5,60,258/- as against Rs.4,95,258/- awarded by the Tribunal with interest.



13. Consequently, the claimant is entitled to enhanced compensation of Rs.65,000/- (Rs.5,60,258/- - Rs.4,95,258/-) with interest at the rate of 6% per annum from the date of petition till realisation.

14. The Respondent/KSRTC is liable to pay the said enhanced compensation amount with interest.

15. In view of the above, the following:

ORDER

- i) *Miscellaneous First Appeal is **allowed-in-part.***
- ii) *The appellant/claimant is entitled to enhanced compensation of Rs.65,000/- with interest at the rate of 6% per annum from the date of petition till realisation.*
- iii) *The Respondent/KSRTC shall deposit the enhanced compensation amount with interest before the Tribunal within a period of six weeks from this day.*



NC: 2026:KHC:50692
MFA No. 4887 of 2025

CNR: KAHC010427322025

*iv) The appellant/claimant is entitled to release
of entire enhanced compensation with
interest.*

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

KLV
List No.: 1 Sl No.: 40