



CNR: KAHC010460572022

NC: 2026:KHC:36767
MFA No. 6859 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

MISCELLANEOUS FIRST APPEAL NO.6859 OF 2022(MV-I)

BETWEEN:

SACHIN R
S/O RAJU
AGED ABOUT 22 YEARS,
#14, 2ND CROSS,
R/A GANAPATHIPURA
BANGALORE SOUTH
KONANAKUNTE BANGALORE
KARNATAKA-560 062

...APPELLANT

(BY SRI. RAGHU R, ADVOCATE)

AND:

1. PADMA
MAJOR W/O BASAPPA
R/A NO.66/1, SOMESHWARA LAYOUT
BILEKAHALLI, BANGALORE-560 078
2. THE MANAGER
RELIANCE GEN INSURANCE CO LTD
5TH FLOOR, CENTUNARY BUILDING,
28, M.G ROAD, BANGALORE-560 001

...RESPONDENTS

(BY SRI. LAKSHMINARAYAN.C, ADVOCATE FOR R2,
NOTICE TO R1 IS DISPENSED WITH)

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



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THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 01.07.2022 PASSED IN MVC NO.2983/2019 ON THE FILE OF THE I ADDITIONAL SMALL CAUSES JUDGE AND MACT, BENGALURU (SCCH-11), PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL JUDGMENT

1. The claimant, being dissatisfied with the compensation of Rs.7,05,645/- awarded by the Tribunal vide judgment and award dated 01.07.2022 in MVC No.2983/2019, is in appeal.
2. The fact that the accident occurred and the further fact that the offending vehicle was insured is not in dispute.
3. The Tribunal, on assessment of evidence, has awarded the following sums as compensation:

Sl. No.	Particulars	Amount in (Rs.)
1.	Pain and Suffering	50,000
2.	Medical expenses	2,77,045



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3.	Food and nourishment and attendant charges	3,200
4.	Conveyance	10,000
5.	Loss of income during the laid-up period	28,000
6.	Loss of future income	3,02,400
7.	Loss of future amenities	10,000
8.	Future medical expenses	25,000
	Total	7,05,645

4. The Tribunal, on an analysis of the oral and documentary medical evidence and the facts and circumstances of the case, has concluded that the claimant has suffered functional disability to the extent of 10%. As the Doctor has assessed 44% physical disability to the right upper limb and 22% disability to the whole body, I deem it just and proper to assess the functional disability at **13%**.

5. The Tribunal has rightly determined the monthly income, notionally at Rs.14,000/- according to the chart prepared by the Karnataka State Legal Services Authority for the accident of the year 2019.



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6. As the claimant was aged 21 years as on the date of accident, a multiplier of '18' would have to be applied. Consequently, the claimant would be entitled to a sum of **Rs.3,93,120/-** (Rs.14,000x 12 x 18 x 13%) towards '*loss of future income*' as against Rs.3,02,400/-

7. Consequently, by treating the laid up period as three months, the amount of Rs.28,000/- awarded by the Tribunal towards '*loss of income during the laid up period*' would also stand enhanced to **Rs.42,000/-** (Rs.14,000 x 3 months).

8. Having regard to the lasting effects of the injuries on the claimant, the claimant would be entitled to a sum of **Rs.20,000/-** towards loss of amenities, as against the sum of Rs.10,000/- awarded by the Tribunal.

9. As regards the sum of compensation awarded by the Tribunal towards 'pain and suffering' at **Rs.50,000/-**, towards 'conveyance and attendant charges' and 'food and nourishment' at **Rs.13,200/-** and towards future medical expenses at **Rs.25,000/-** being just and proper, are affirmed.



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10. As regards medical expenses awarded by the Tribunal at **Rs.2,77,045/-**, being based on documentary evidence, is affirmed.

11. Consequently, the award of the Tribunal is modified, and the claimant would be entitled to the following compensation:

Sl. No.	Compensation under different Heads	As awarded by the Tribunal (Rs.)	As awarded by this Court (Rs.)
1.	Pain and suffering	50,000	50,000
2.	Loss of future income	3,02,400	3,93,120
3.	Medical expenses	2,77,045	2,77,045
4.	Future medical expenses	25,000	25,000
5.	Loss of income during the laid up period	28,000	42,000
6.	Conveyance charges	10,000	10,000
7.	Food and nourishment, attendant charges	3,200	3,200
	Loss of amenities	10,000	20,000
	Total	7,05,645	8,20,365

12. Thus, the claimant is held entitled to the total compensation of **Rs.8,20,365/-** as against Rs.7,05,645 /-, along with interest at the rate of 6% per annum from the date of petition till its realization.



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13. The Insurance Company is directed to deposit the amount of compensation awarded within six weeks from the date of receipt of a certified copy of this judgment.

The appeal is accordingly ***allowed in part.***

**SD/-
(RAJESH RAI K)
JUDGE**

PKS
List No.: 1 Sl No.: 58