



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

**MISCELLANEOUS FIRST APPEAL NO. 7585 OF 2022 (MV-
D)**

BETWEEN:

1. SHOBHA
W/O LATE SRIKANTAN
AGED ABOUT 44 YEARS
2. VEENA
D/O LATE SRIKANTAN
AGED ABOUT 24 YEARS
3. KAVITHA
D/O LATE SRIKANTAN
AGED ABOUT 25 YEARS
ALL ARE R/O JAMBUR VILLAGE
NUGEHALLI HOBLI
CHANNARAYAPATNA TALUK
HASSAN DISTRICT.

...APPELLANTS

(BY SRI. KAILAS SHANKAR P S., ADVOCATE)

AND:

1. SATISH G
S/O GOVINDARAJU
NO.21 JANANAKSHI LAYOUT
R R NAGAR, BEML 5TH STAGE
BANGALORE-560098.
2. THE MANAGER
UNITED INDIA INSURANCE CO. LTD.,
REGIONAL OFFICE, NO.5TH & 6TH FLOOR
KRISHI BHAVAN, HUDSON CIRCLE



NRUPATHUNGA ROAD
BANGALORE-560001.

...RESPONDENTS

(BY SRI.KRISHNA B.S., ADVOCATE FOR R2:
NOTICE TO R1 IS DISPENSED WITH
V/O DATED: 13.07.2026)

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT,
AGAINST THE JUDGMENT AND AWARD DATED:24.12.2019
PASSED IN MVC NO.100/2019 ON THE FILE OF THE XVIII
ADDITIONAL JUDGE, COURT OF SMALL CAUSES, MEMBER,
MACT, BENGALURU CITY, (SCCH-4), 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 appeal is filed by the claimants seeking for enhancement of compensation.
2. It is not in dispute that, as a result of the motor vehicle accident which occurred on 12.11.2018, one Madhu, aged 22 years, died.
3. It is not in dispute that the Insurer is liable to pay the compensation as the offending vehicle was insured.
4. The Tribunal, on assessment of the evidence adduced before it, has come to the conclusion that the driver of the



offending vehicle was responsible for the accident which has resulted in the death of deceased-Madhu. The Tribunal has thereafter proceeded to award the following sums as compensation:

Sl. No.	Particulars	Amount in (Rs.)
1.	Loss of Dependency	17,24,000
2.	Loss of Consortium	120,000
3.	Towards transportation of dead body and funeral expenses	15,000
4.	Loss of Estate	15,000
	Total	18,74,000

5. In order to arrive at the loss of dependency, the Tribunal, after considering the income and age of the deceased and by applying the principles laid down by the Hon'ble Apex Court in **NATIONAL INSURANCE CO. LTD. V. PRANAY SETHI AND OTHERS [AIR 2017 SC 5157]**, has rightly awarded compensation of **Rs.17,24,000/-** under the head 'Loss of Dependency'. The same is proper and adequate and therefore, remains unaltered.



6. The claimants being the mother and sisters of the deceased, they would each be entitled to a sum of **Rs.48,400/-** towards "*loss of consortium*" i.e., in all **Rs.1,45,200/-** and they would also be entitled to a sum of **Rs.36,300/-** under the conventional heads.

7. Thus, the claimants, in modification of the impugned award, would be entitled to the following sums:

Sl. No.	Particulars	Amount in (Rs.)
1.	Loss of Dependency	17,24,000
2.	Loss of Consortium	1,45,200
3.	Loss of Funeral expenses and loss of Estate	36,300
	Total	19,05,500

8. Thus, the claimant would be entitled for compensation of **Rs.19,05,500/-** as against Rs.18,74,000/- awarded by the Tribunal, along with interest at the rate of 6% per annum from the date of petition till its realization.



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

10. In view of the order dated 13.07.2026 passed by this Court, the claimants-appellants are not entitled for interest for the delayed period of 199 days in filing the appeal.

11. The apportionment of compensation amount shall be in terms of the award of the Tribunal.

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

Sd/-
(RAJESH RAI K)
JUDGE