



CNR: KAHC010555922026

NC: 2026:KHC:49055
MFA No. 5983 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

MISCELLANEOUS FIRST APPEAL NO. 5983 OF 2026

MV-I)

BETWEEN:

SRI CHANDRA SHEKHAR K.H.
S/O HOOVEGOWDA
AGED ABOUT 31 YEARS
R/AT OF KUDUVALLY VILLAGE
AND POST
CHIKKAMAGALURU TALUK.
PIN CODE No - 577 101.

...APPELLANT

(BY SRI VENKATE GOWDA K, ADVOCATE)

AND:

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

1. SRI DHANUSH.S.B
S/O BOGESH.S.R
AGED ABOUT 26 YEARS
R/AT No.358
KUNABEVU VILLAGE AND POST
CHITHRADURGA-577 501.
2. SRI R J MANJUMANI
S/O JAYARAMAPPA.K
MAJOR IN AGE
RESIDING AT 1ST MAIN
3RD CROSS, NEAR FLOUR MILL



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KAMANA BAVI BADAVANE
CHITRADURGA - 577 501.

3. THE MANAGER
SHREERAM GENERAL INSURANCE CO. LTD.,
3RD FLOOR, KHADI BHAVAN
BUS-STAND ROAD
OPP: NEAR HEAD POST OFFICE
HASSAN-573 202.

...RESPONDENTS

(BY SRI MALLIKARJUNA REDDY N A, ADVOCATE FOR
SRI B PRADEEP, ADVOCATE FOR R3 (VK NOT FILED)
V/O DTD. 29.08.2026, NOTICE TO R1 & R2 ARE D/W)

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT,
AGAINST THE JUDGMENT AND AWARD DATED:30.05.2026,
PASSED IN MVC No.479/2024, ON THE FILE OF THE I-ADDL.
SENIOR JUDGE AND JMFC., CHIKKAMAGALURU, 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 30.05.2026 passed in MVC No. 479/2024
by the I Additional Senior Judge and JMFC,
Chikkamagaluru.



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2. Appellant – claimant made a claim petition praying to award compensation for the injuries sustained by him in a road traffic accident that occurred on 08.09.2024 due to the rash and negligent driving by the driver of tempo traveler bearing registration No. KA-02-AG-1558. The Tribunal after recording evidence, appreciating the evidence on record, assessed the compensation and awarded compensation under different heads as under:

1	Pain and suffering	Rs.80,000.00
2	Towards loss of future earning capacity	Rs.2,88,000.00
3	Medical bill	Rs.1,76,201.00
4	Towards future medical treatment	Rs.10,000.00
5	Towards transportation and conveyance allowance and medical expenses	Rs.10,000.00
6	Towards loss of amenities of life	Rs.10,000.00
	Total	5,74,201.00



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3. 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. 3 – Insurer to deposit the said award amount with interest. Claimant seeking enhancement of the compensation awarded, has filed the present appeal.

4. Heard learned counsel for appellant and learned counsel for respondent No. 3 – Insurer.

5. The accident occurred on 08.09.2024 and as on the date of the accident claimant was aged 32 years. Considering the same the Tribunal has rightly applied the multiplier `16`.

6. The accident occurred in the year 2024 and for the said year notional income fixed by Karnataka State Legal Services Authority is Rs.17,000/- and the same is to be taken as against Rs.15,000/- taken by the Tribunal.

7. Claimant had sustained the following injuries as per the wound certificate:

- i. Lacerated wound on the left leg



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- ii. Multiple abrasions over the left knee and leg and tibia
- iii. Posterior dislocation of left hip
- iv. Open fracture of left primal tibia
- v. Fractured wound on the left diddle finder

8. Considering the said injuries compensation awarded by the Tribunal towards pain and suffering in a sum of Rs.80,000/- is enhanced to Rs.1,00,000/- and loss of amenities in a sum of Rs.10,000/- is enhanced to Rs.70,000/-.

9. Claimant was admitted in the hospital for 16 days and therefore, he is entitled Rs.16,000/- (Rs.1,000 X 16 days) towards attendant, conveyance charges, food nourishment etc., as against Rs.10,000/- awarded by the Tribunal. The Tribunal has rightly awarded medical expenses based on the documents. Considering the injuries sustained, the claimant had to take rest for at-least 3 months and therefore, entitled to loss of income during laid up period in a sum of Rs.51,000/- (Rs.17,000 X 3 months).



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10. P.W.3 is the Doctor who has assessed the disability and stated that the claimant is having disability of 35% to the left lower limb. In case of disability to left lower limb disability to the whole body is to be taken at 1/3rd of the same. In view of the same, loss of future income is calculated as under:

$$17,000 \times 12 \times 16 \times 11.66\% = \text{Rs.}3,80,582/-$$

11. Claimant was fixed with implant and the Doctor has stated regarding the same. Therefore, claimant has to undergo surgery for removal of implant. Hence, claimant is entitled to a sum of Rs.30,000/- towards future medical expenses.

12. In view of the above, claimant is entitled to total compensation under various heads as under:

1	Pain and suffering	Rs.1,00,000/-
2	Loss of amenities	Rs.70,000/-
3	attendant, conveyance charges, food nourishment	Rs.16,000/-



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4	Medical expenses	Rs.1,76,201/-
5	Loss of income during laid up period	Rs.51,000/-
6	Loss of future income	Rs.3,80,582/-
7	Future medical expenses	Rs.30,000/-
	Total	Rs.8,23,783/-

13. Considering the above aspects claimant is entitled to total compensation of Rs.8,23,783/- as against Rs.5,74,201/- awarded by the Tribunal with interest. Consequently, claimant is entitled to enhanced compensation of Rs.2,49,582/- with interest at 6% per annum from the date of petition till the date of realization. Claimant is not entitled to interest on compensation awarded towards future medical expenses of Rs.30,000/-. Respondent No. 3 – Insurer is liable to pay the said enhanced compensation with interest.

14. In view of the above, the following;



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ORDER

- a. Appeal is allowed in part.
- b. Appellant - claimant is entitled to enhanced compensation of Rs.2,49,583/- with interest at the rate of 6% p.a. from the date of petition till the date of realization.
- c. Claimant is not entitled to interest on compensation awarded towards future medical expenses of Rs.30,000/-.
- d. Respondent No. 3 - Insurer shall deposit the enhanced compensation with interest before the Tribunal within a period of six weeks from this day.
- e. Appellant - claimant is entitled to release of entire enhanced compensation with interest.

Learned counsel for respondent No.3 - Insurer is permitted to file vakalath within 10 days.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE