



CNR: KAHC010590182024

NC: 2026:KHC:44267
MFA No. 6804 of 2024
C/W MFA No. 6827 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.M.NADAF

MISCELLANEOUS FIRST APPEAL NO.6804 OF 2024(MV-I)

C/W

MISCELLANEOUS FIRST APPEAL NO.6827 OF 2024(MV-I)

IN MFA No. 6804/2024

BETWEEN:

MASTER. S. RAMI REDDY,
S/O S. GOVINDHAREDDY
ALIAS S GOVINDA SWAMYREDDY,
AGED ABOUT 14 YEARS,
SINCE MINOR
REPTD BY HIS FATHER
S. GOVINDAREDDY,
S/O S SEENU REDDY,
AGED ABOUT 62 YEARS,
AS NATURAL GUARDIAN

RESIDING AT:
NO.1/75, T.VEPANAPALLI,
CHITTOOR DISTRICT,
ANDHRA PRADESH.

...APPELLANT

(BY SRI. SREENIVASAIAH A., ADVOCATE)

AND:

THE MANAGING DIRECTOR,
K.S.R.T.C.
SHANTHINAGAR,
BANGALORE - 560027.

...RESPONDENT

(BY MS. NAYANA SHREE A.K., ADVOCATE FOR
SRI. ASHOK N. NAYAK, ADVOCATE)



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THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED:03.03.2023 PASSED IN MVC NO.231/2019 ON THE FILE OF THE MEMBER, MACT, XIX ADDITIONAL JUDGE, COURT OF SMALL CAUSES, BENGALURU CITY (SCCH-17), PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

IN MFA NO. 6827/2024

BETWEEN:

P. MUNIREDDY,
S/O LATE P. NAGIREDDY,
AGED ABOUT 67 YEARS,
RESIDING AT:
DALAVAYIPALLE,
VARTHUR, CHITTOOR DISTRICT,
ANDHRA PRADESH.

...APPELLANT

(BY SRI. SREENIVASAIAH A., ADVOCATE)

AND:

THE MANAGING DIRECTOR,
K.S.R.T.C.,
SHANTHINAGAR,
BANGALORE - 560 027.

...RESPONDENT

(BY MS. NAYANA SHREE A.K., ADVOCATE FOR
SRI. ASHOK N. NAYAK, ADVOCATE)

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

CORAM: HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

These appeals are by the claimants seeking enhancement of compensation arising out of common Judgment and Award dated 03.03.2023 in MVC.No.231/2019 C/w. MVC No.232/2019 , passed by the XIX Additional Judge, Court of Small Causes, Bengaluru (SCCH-17)¹, in respect of injuries suffered and disability sustained by minor boy, aged 09 years in an accident occurred on 22.09.2018, so also in respect of another claimant aged 67 years.

2. The Parties are referred to as per their ranking before the Tribunal.

3. Heard, Sri.Sreenivasaiah.A, learned counsel appearing for the claimant and Ms.Nayanashree, learned

¹ 'the Tribunal', for short



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counsel appearing on behalf of Sri.Ashok Narayan Nayak,
learned counsel for the respondent - Corporation.

In MFA No.6804/2024 (MVC No.231/2019)

4. Admittedly, the claimant in this claim petition was a minor boy aged 9 years. The law is no more *res integra* in view of settled position of law by the Hon'ble Supreme Court in **HITESH NAGJIBHAI PATEL VS. BABABHAI NAGJIHAI RABARI AND ANOTHER²**. In paragraph No.9 of the Judgment, the Hon'ble Supreme Court, has stated that the monthly income of a minor must be considered on the notional income of a person fixed in minimum wages. Further, the Hon'ble Supreme Court has considered to award Rs.3,00,000/- towards 'loss of marriage prospectus' and 'pain and suffering' at Rs.5,00,000/- and 'loss of amenities' at Rs.2,00,000/- and enhanced the compensation from Rs.8,65,000/- awarded by the High Court to Rs.35,90,489/-.

² 2025 SCC ONLINE SC 3446



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5. Having considered the peculiar facts and circumstances involved in the present case, wherein the multiple fractures resulting in confining the minor for 07 days in hospital and 23 days rest, and the doctor's evidence stating permanent neurological disability of 40%, this Court is of the opinion, if the income fixed under the chart prepared by Karnataka State Legal Services Authority, for settling the dispute before the Lok-Adalat, for the year 2018 at Rs.12,500/- per month as notional income is considered, while assessing the compensation towards loss of future income taking the disability at 25% with 40% towards future prospectus and multiplier at 15 considering the age below 15 years, as per **SARLA VERMA AND OTHERS VS. DELHI TRANSPORT CORPORATION AND ANOTHER**³, would meet the ends of justice. Further, looking into the injuries sustained by the minor boy and disability suffered, it definitely will take away his future marital prospectus and affect his life.

³ 2009 ACJ 1298



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6. In that view of the matter, this Court is of the opinion that the compensation awarded by the Tribunal requires reconsideration and reassessment. Accordingly, this Court proceed to reassess the compensation which are as under:

Sl. No.	Heads	Compensation awarded by the Tribunal In Rs.	By this Court In Rs.
1.	Loss of future income	1,12,482-00	7,87,500-00 (12,500+40% $\times$ 12 $\times$ 15 $\times$ 25%)
2.	Loss of income during laid up period	4,140-00	37,500-00 (12,500 $\times$ 3)
3.	Conveyance charges	10,000-00	60,000-00 (10,000 + 50,000)
4.	Pain and Sufferings,	1,00,000-00	2,00,000-00 (1,00,000 + 1,00,000)
5.	Loss of amenities and discomforts, food and nourishment	50,000-00	2,00,000-00 (50,000 + 1,50,000)
6.	Medical bills	25,681-00	25,681-00
7.	Loss of marriage prospectus	-	3,00,000-00
	TOTAL	3,02,303-00	16,10,681-00

7. Accordingly, the minor claimant is entitled for enhanced compensation of Rs.13,08,378/- (16,10,681 - 3,02,303) rounded off at **Rs.13,09,000/-**, which shall carry interest at the rate of 6% per annum from the date of petition till realization.



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In MFA No.6827/2024 (MVC No.232/2019)

8. Sri.Sreenivasaiah.A, learned counsel appearing for the claimant submits that the claimant was aged 67 years, as on the date of accident suffered injuries i.e., exdural haematoma, phemocephalus, fracture right frontal bone, greater wing of sphenoid bone, bilateral orbital lateral wall fracture, left zygone fracture and right oculomotor nerve palsy. The Tribunal in the teeth of evidence of PW.4 - Doctor on disability stating permanent neurological disability of 40%, had considered it at 30% and awarded compensation under loss of future income, which is against the medical evidence. Learned counsel further submits that the compensation awarded under each head, except 'medical bills' requires enhancement.

9. In contrast, Ms.Nayanashree, learned counsel appearing for the Corporation submits that the Tribunal after considering the age and the injury, had properly considered the disability at 30% and awarded appropriate



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compensation. As such the same does not call for any interference and sought to dismiss the appeal.

10. Having considered the rival submissions, the evidence of the Doctor and looking into the compensation awarded under the heads, which are now sought to be enhanced, this Court is of the opinion that the compensation awarded by the Tribunal is little inadequate. In that view of the matter, this Court proceeds to re-assess the compensation, which is as under:

Sl. No.	Heads	Compensation awarded by the Tribunal In Rs.	By this Court In Rs.
1.	Loss of future income	2,25,000-00	2,25,000-00
2.	Loss of income during laid up period and one attendant charge Pain and Sufferings	49,920-00	50,000-00 (12,500x4)
3.	Conveyance charges	15,000-00	15,000-00
4.	Pain and sufferings	80,000-00	1,00,000-00 (80,000 + 20,000)
5.	Food nourishment, attendant charge, loss of amenities	50,000-00	1,10,000-00 (50,000+60,000)
6.	Medical bills	2,61,814-00	2,61,814-00
	TOTAL	6,81,734-00	7,61,814-00

11. Accordingly, the claimant is entitled for enhanced compensation of Rs.80,080/- (7,61,814 -



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6,81,734), rounded off at **Rs.81,000/-**, which shall carry interest @ 6% per annum from the date of petition till realization.

12. For the foregoing reasons, this Court proceed to pass the following:

ORDER

- i. The appeals are ***allowed in part.***
- ii. The common Judgment and Award dated 03.03.2023 in MVC.No.231/2019 C/w. MVC No.232/2019 , passed by the XIX Additional Judge, Court of Small Causes, Bengaluru (SCCH-17) is modified and compensation is enhanced.
- iii. The claimant in MFA No.6804/2024 is entitled for reassessed compensation of **Rs.13,09,000/-**, with 6% interest from the date of petition till realization.
- iv. The claimant in MFA No.6827/2024 is entitled for enhanced compensation of **Rs.81,000/-**, with 6% interest from the date of petition till realization.



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- v. The entire enhanced compensation along with accrued interest supra shall be deposited by the respondent - Corporation, within 6 weeks from the date of receipt of copy of this order before the concerned Tribunal in both the cases.
- vi. In MFA No.6804/2024 (MVC No.231/2019), upon deposit, out of the compensation enhanced, a sum of Rs.1,00,000/- will be released in favor of guardian of the minor to meet the incidental expenses and balance compensation shall be deposited in any interest bearing FDR with any Nationalized Bank till the claimant attains the age of majority and thereafter 5 years.
- vii. The Bank shall not permit any loan on the said amount without there being an order by the Tribunal/Court.
- viii. In MFA No.6827/2024 (MVC No.232/2019), upon deposit, the entire amount shall be released in favor of the claimant on proper identification.



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- ix. Trial Court records received, if any be sent forthwith to the Tribunal for further action without causing any delay.
- x. No order as to costs.

Sd/-
(T.M.NADAF)
JUDGE

TKN
List No.: 1 SI No.: 18
ct-vn