



CNR: KAHC010593082025

NC: 2026:KHC:41796
MFA No. 6731 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

MISCELLANEOUS FIRST APPEAL NO. 6731 OF 2025
(MV-I)

BETWEEN:

SRI. SUNDARA
AGED 60 YEARS,
SON OF BASAVA,
RESIDING AT HOUSE NO.12-2-18,
VINOBHA NAGAR, KADABETTU,
MOODANIDAMBURU VILLAGE,
UDUPI TALUK - 576 101,
UDUPI DISTRICT.

...APPELLANT

(BY SRI. N. JAGADISH BALIGA, ADVOCATE)

AND:

1. SRI. K.S. DAKSHITH KUMAR
AGED 24 YEARS,
SON OF SRI SUNDARA,
RESIDING AT NO.12-2-18,
VINOBHA NAGAR, KADABETTU,
MOODANIDAMBURU VILLAGE,
UDUPI TALUK - 576 101,
UDUPI DISTRICT.
2. THE UNITED INDIA INSURANCE CO. LTD.,
P B NO.78 JEWEL PLAZA, 1ST FLOOR,
MARUTHI VEETHIKA,
UDUPI - 576 101,
REP. BY ITS BRANCH MANAGER.


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



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...RESPONDENTS

(BY SRI. S. KRISHNA KISHORE, ADVOCATE FOR R2;
VIDE ORDER DATED 30.07.2026, NOTICE TO R1 IS HELD
SUFFICIENT)

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT
AGAINST THE JUDGMENT AND AWARD DATED 30.06.2025
PASSED IN MVC NO.525/2023 ON THE FILE OF THE SENIOR
CIVIL JUDGE AND ADDITIONAL MACT, KUNDAPURA, 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 30.06.2025 passed in MVC No.525/2023
by Senior Civil Judge and Additional MACT, Kundapura.

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 No.2/insurer, 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 which took place on 21.02.2023 contending that the accident occurred due to rash and negligent driving by the rider of motorcycle bearing registration No.KA-20/EY-4496.

4. The Tribunal recorded the evidence adduced by the parties and upon appreciating the evidence on record, assessed the compensation and awarded the global compensation of Rs.25,000/- with interest at the rate of 6% per annum from the date of petition till realisation and directed respondent No.2/insurer to pay the global compensation awarded with interest. The claimant has filed the present appeal seeking enhancement of compensation.



5. Heard the learned counsel for appellant and learned counsel for respondent No.2/insurer.

6. Learned counsel for the appellant would contend that, the claimant has sustained six (06) simple injuries and he was admitted in the hospital for six (06) days. Considering the said aspect, the compensation awarded is on lower side. With these, he prayed to allow the appeal.

7. Learned counsel for respondent No.2/insurer would contend that, the compensation awarded by the Tribunal is just and proper and there are no grounds for enhancement. With these, he prayed for dismissal of the appeal.

8. Having heard both the learned counsel for appellant and learned counsel for respondent No.2/insurer, the Court has perused the impugned judgment and award.

9. The claimant has sustained six (06) simple injuries as per Ex.P51 - Wound Certificate. The claimant



has been admitted in hospital for six (06) days. The claimant was aged fifty eight (58) years as on the date of accident and he was auto driver. Considering the said aspect, the compensation awarded by the Tribunal in a sum of Rs.25,000/- is on lower side.

10. Therefore, the claimant is entitled to enhanced global compensation of Rs.25,000/- with interest at the rate of 6% per annum from the date of petition till realisation.

11. Respondent No.2/insurer is liable to pay the enhanced global compensation with interest.

12. In view of the above, the following:

ORDER

- i) *Miscellaneous First Appeal is **allowed-in-part.***
- ii) *The appellant/claimant is entitled to enhanced global compensation of Rs.25,000/- with interest at the rate of 6%*



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*per annum from the date of petition till
realisation.*

- iii) Respondent No.2/insurer shall deposit the
enhanced global compensation amount with
interest before the Tribunal within a period
of six weeks from this day.*
- iv) The appellant/claimant is entitled to release
of entire enhanced global compensation
with interest.*

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE