



CNR: KAHC010644742025

NC: 2026:KHC:45988
MFA No. 7299 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

MISCELLANEOUS FIRST APPEAL NO. 7299 OF 2025
(MV-D)

BETWEEN:

1. KUM. MAHESHWARI
D/O SRI. MAHADEVU,
AGED ABOUT 26 YEARS,

2. SRI. MAHADEVASWAMY
S/O MAHADEVU,
AGED ABOUT 35 YEARS,

BOTH ARE R/AT NO.111,
MUNISWAMYNAGARA, RAMABAI ROAD,
MYSURU - 01.

...APPELLANTS

(BY SMT. PAVANA B.K., ADVOCATE FOR
SRI. SAMPATH KUMAR A V., ADVOCATE)

AND:

SRI. CHANDRA M.
S/O SRI. MADAIHAH,
SINCE DEAD BY HIS LRS.,

1. SMT. RAJESHWARI
W/O LATE SRI. CHANDRA M.,
AGED ABOUT 40 YEARS,
2. MASTER. C PAVANA
S/O LATE SRI. CHANDRA M.,
AGED ABOUT 20 YEARS,

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



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BOTH ARE R/AT NO.38,
6TH CROSS, 2ND STAGE,
GAYITHRIPURAM, NAZARBAD MOHALLA,
MYSURU - 01.

3. UNITED INDIA INSURANCE CO. LTD.,
REPRESENTED BY BRANCH MANAGER,
PRINCE OF WELL ROAD,
NEAR BALLAL CIRCLE,
MYSURU - 01.

...RESPONDENTS

(BY SRI. B.C. SHIVANNEGOWDA, ADVOCATE FOR R3;
VIDE ORDER DATED 17.03.2026, NOTICE TO R1 AND R2 IS
DISPENSED WITH)

THIS MFA IS FILED U/S.173(1) OF MV ACT AGAINST THE
JUDGMENT AND AWARD DATED 28.02.2024 PASSED IN MVC
NO.1250/2019 ON THE FILE OF THE II ADDITIONAL DISTRICT
JUDGE AND MACT, MYSURU, 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

The claimants aggrieved by not awarding the
compensation on loss of consortium in the Judgment and



Award dated 28.02.2024 passed in MVC No.1250/2019 by II Additional District Judge and MACT, Mysuru, have filed the present appeal.

2. Heard the learned counsel for appellants and learned counsel for respondent No.3/insurer.

3. The claimants are sister and brother of the deceased. The claimants being sister and brother of the deceased have lost their love and affection of the deceased and therefore, the claimants are entitled to loss of consortium in a sum of Rs.40,000/- each. The Tribunal has not awarded loss of consortium and therefore, the claimants are entitled to loss of consortium in a sum of Rs.80,000/-.

4. The claimants are entitled to enhanced compensation of Rs.80,000/- with interest at the rate of 6% per annum from the date of petition till realisation.

5. Respondent No.3/insurer is liable to pay the said enhanced compensation amount with interest.



6. The appellants/claimants are not entitled to interest for the delay period of 484 days in filing the appeal as per order dated 17.03.2026 passed on I.A.No.1/2025.

7. In view of the above, the following:

ORDER

- i) *Miscellaneous First Appeal is **allowed-in-part.***
- ii) *The appellants/claimants are entitled to enhanced compensation of Rs.80,000/- with interest at the rate of 6% per annum from the date of petition till realisation.*
- iii) *Respondent No.3/insurer shall deposit the enhanced compensation amount with interest before the Tribunal within a period of six weeks from this day.*
- iv) *The appellants/claimants are entitled to release of entire enhanced compensation with interest in equal share.*



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- v) *The appellants/claimants are not entitled to interest for the delay period of 484 days in filing the appeal.*

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

KLV
List No.: 1 Sl No.: 36