HC-KAR

NC: 2026:KHC:61134
MFA No. 2648 of 2025

CNR: KAHC010238042025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

MISCELLANEOUS FIRST APPEAL No. 2648 OF 2025

(MV-I)

BETWEEN:

SHWETHA G
W/O MOHAN SINGH
AGED ABOUT 27 YEARS
OCCUPATION NIL
R/O. 311, P. B. ROAD
AMARAVATHI MALLIKARJUNA BADAVANE
HARIHARA, HARIHARA TALUK
DAVANGERE-577 101.

...APPELLANT

(BY SRI. SHRUTHI S P, ADVOCATE)

AND:

1. ITTIGUNDI RAJAPPA
S/O BASAVARAJAPPA
AGED ABOUT 43 YEARS
DRIVER BEARING REG.
No. KA-17-F-1566
R/O VATLAHALLI VILLAGE
HARAPANAHALLI TALUK
BELLARY DISTRICT.

2. SURESH HOLALURU
S/O BASAVARAJAPPA
AGED ABOUT 36 YEARS
KSRTC BUS DRIVER BEARING
REG. No. KA-17-F-1566
R/O YADIHAL VILLAGE

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JUDGE, HIGH COURT OF KARNATAKA

RANEBENNUR TALUK
HAVERI DISTRICT.

3. THE DIVISIONAL MANAGER
KSRTC DEPOT, DAVANGERE
DAVANGERE DISTRICT- 577 101.

4. THE MANAGING DIRECTOR
KSRTC SARIGE BHAVAN
K.H. ROAD
BENGALURU- 560 026.

…RESPONDENTS

(BY SRI ASHOK KUMAR, ADVOCATE FOR R3 & R4
V/O DATED 04.11.2026 NOTICE TO R1 & R2 ARE D/W)

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED:04.03.2025 PASSED IN MVC No.145/2022 ON THE FILE OF THE SENIOR CIVIL JUDGE AND MACT-VIII, HARIHAR, 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 appellant -claimant seeking enhancement of compensation awarded in judgment and award dated 04.03.2025 passed in MVC No.145/2022 by the Senior Civil Judge and MACT-VIII, Harihar.

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2. Even though the appeal is listed today for admission, it is taken up for disposal with the consent of learned counsel for appellant and learned counsel for respondent Nos.3 and 4.

3. The appellant made a claim petition praying to award compensation for the injuries sustained by him in a road traffic accident occurred on 29.08.2021 contending that the accident occurred due to rash and negligent driving of the driver of KSRTC bus bearing registration No.KA-17/F-1566. The Tribunal after recording the evidence of the parties, appreciating the evidence assessed the compensation and awarded global compensation of Rs.80,000/- with interest at the rate of 6% per annum from the date of petition till realization and directed respondent Nos.3 and 4 to deposit the award amount with interest. The claimant seeking enhancement of compensation has filed the present appeal.

4. Heard learned counsel for appellant and learned counsel for respondent Nos.3 and 4.

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5. The accident occurred on 29.08.2021 and as on the date of accident the claimant was aged 24 years and doing tailoring work. As per Ex.P5 wound certificate the claimant has sustained head injury and she was admitted in the hospital from 29.08.2021 till 05.09.2021 for a period of 07 days. The claimant has spent medical expenses of Rs.46,609/- as per Ex.P10 and P11.

6. In view of the above, the claimant is entitled to compensation under following heads:

Sl.No.	Heads	Amount in (Rs.)
01.	Towards Pain and Suffering	40,000/-
02.	Towards Medical Expenses	46,609/-
03.	Towards attendant, conveyance charges, food and nourishment etc.,	7,000/-
04	Toward loss of income during laid up period	15,000/-
05.	Loss of amenities	30,000/-
	Total	**1,38,609/-**

The claimant is entitled to total compensation of Rs.1,38,609/- as against Rs.80,000/- as awarded by the Tribunal with interest. Consequently the claimant is entitled to enhanced compensation of Rs.58,609/- with interest at the rate of 6% per annum from the date of

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petition till realization. Respondent Nos.3 and 4 are liable to pay the said enhanced compensation with interest.

7. In view of the above, the following

ORDER

i) The appeal is ***allowed in part.***

ii) The appellant -claimant is entitled to enhanced compensation of Rs.58,609/- with interest at the rate of 6% per annum from the date of petition till realization.

iii) Respondent Nos.3 and 4 shall deposit the said enhanced compensation with interest before the Tribunal within a period of 06 weeks from this day.

iv) The entire enhanced compensation amount shall be released to the claimant.

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(SHIVASHANKAR AMARANNAVAR)
JUDGE

DSP
List No.: 1 Sl No.: 31
Ct.sm