HC-KAR

NC: 2026:KHC:54782
MFA No. 3720 of 2026

CNR: KAHC010362342026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

MISCELLANEOUS FIRST APPEAL No. 3720 OF 2026

(MV-I)

BETWEEN:

GOPINATH H
S/O HANUMAPPA
NOW AGED ABOUT 37 YEARS
R/AT, No.99, 5TH CROSS
WARD No.3, MUTHSANDRA
DODDABALLAPURA TOWN
BANGALORE RURAL DISTRICT.

...APPELLANT

(BY SRI. N R RANGEGOWDA, ADVOCATE)

AND:

1. SRIKANTH C M
S/O O. MINIYAPPA
AGED MAJOR,
RESIDING AT GANGALU ROAD
EAST SIR M.V. EXTENSION, HOSKOTE.
BANGALORE RURAL DISTRICT.

2. THE MANAGER
RELIANCE GENERAL INSURANCE CO. LTD.,
No.28, 5TH FLOOR,

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AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

CENTENARY BUILDING, M.G. ROAD
BANGALORE-560 001.

…RESPONDENTS

(BY SRI D VIJAYA KUMAR, ADVOCATE FOR R2
V/O DTD. 10.06.2026, NOTICE TO R1 D/W)

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED:18.02.2025 PASSED IN MVC No.7174/2022 ON THE FILE OF THE XIII ADDITIONAL SMALL CAUSES JUDGE, ACJM, COURT OF SMALL CAUSES AND MEMBER, MACT-15, BENGALURU (SCCH-15), 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 18.02.2026 passed in MVC No.7174/2022 by the XIII Additional Small Causes Judge, Court of Small Causes, Member, MACT-15, Bengaluru.

2. Even though the appeal is listed today for admission, it is taken up for disposal with the consent of

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learned counsel for appellant and learned counsel for respondent No.2 /insurer.

3. The appellant made a claim petition praying to award compensation for the injuries sustained by him in a road traffic accident occurred on 24.11.2022 contending that the accident occurred due to rash and negligent driving of the driver of Car bearing Regn.No.KA-05-NC-5556. The Tribunal after recording the evidence of the parties, appreciating the evidence assessed the compensation and awarded compensation under various heads as under:

Sl.No.	**Heads**	**Amount in (Rs.)**
01.	Pain, shock and suffering	30,000/-
02.	Loss of amenities	20,000/-
03.	Loss of income during laid up period	46,500/-
04.	Attendant's charges, extra diet, and conveyance	20,000/-
05.	Medical expenses	--
06.	Loss of future income	3,86,880/-
07.	Future medical expenses	20,000/-
	Total	**5,23,380/-**

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4. The Tribunal also awarded interest @ 6% p.a. from the date of petition till realization and directed respondent No.2/insurer to deposit the award amount with interest. The claimant seeking enhancement of compensation has filed the present appeal.

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

6. The accident occurred on 24.11.2022 and as on the date of accident, the claimant was aged 33 years. The appellant is seeking enhancement of compensation under the heads of pain and suffering, loss of amenities and future medical expenses.

7. The claimant has sustained fracture of right proximal tibia. Considering the said fracture, the compensation awarded by the Tribunal towards pain and suffering in a sum of Rs.30,000/- is enhanced to Rs.50,000/- and loss of amenities in a sum of Rs.20,000/- is enhanced to Rs.40,000/-. PW.2 – Doctor has stated

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that the claimant has to undergo surgery for removal of implants. Considering the said aspects, the claimant is entitled to future medical expenses of Rs.30,000/- as against Rs.20,000/- awarded by the Tribunal.

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

Sl.No.	**Heads**	**Amount in (Rs.)**
01.	Pain and suffering	20,000/-
02.	Loss of amenities	20,000/-
03.	Future medical expenses	10,000/-
	Total	**50,000/-**

9. Considering the above aspects, the claimant is entitled to enhanced compensation of Rs.50,000/-. The claimant is not entitled to interest on enhanced future medical expenses of Rs.10,000/-. The claimant is entitled to interest @ 6% p.a. from the date of petition till realization on Rs.40,000/-. Respondent No.2/insurer is liable to pay the said enhanced compensation with interest.

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10. 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.50,000/-.

iii) The appellant/claimant is entitled to interest @ 6% p.a. from the date of petition till realization on Rs.40,000/-.

iv) Respondent No.2/insurer shall deposit the enhanced compensation with interest before the Tribunal within a period of six weeks from this day.

v) The appellant/claimant is entitled to release of entire enhanced compensation.

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(SHIVASHANKAR AMARANNAVAR)
JUDGE

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