HC-KAR

NC: 2026:KHC:60288
MFA No. 4157 of 2026

CNR: KAHC010380472026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

MISCELLANEOUS FIRST APPEAL NO. 4157 OF 2026 (MV-I)

BETWEEN:

SRI. DORA BABU
S/O M. AGISTAPPA,
NOW AGED ABOUT 35 YEARS,
RESIDING AT GUTTUVARAPALLE,
SEETAMVARAPALLE,
SOMALA, CHITTOOR,
ANDHRA PRADESH - 517 257.
ALSO RESIDING AT
NO.24/1, T.C.PALYA,
K.R. PURAM, BENGALURU - 560 036.

...APPELLANT

(BY SMT. SUSHMITHA G., ADVOCATE)

AND:

1. SRI. SHAIK PARVEZ AHMED
S/O SHAIK GHOUSE AHMED,
MAJOR IN AGE,
RESIDING AT 3-15,
SARAKARBAVI STREET,
GURRAMKONDA, CHITTOOR,
ANDHRA PRADESH - 517 297.

2. SRI. K. VENKANNA BABU
S/O. SURYANARAYANA,
MAJOR IN AGE,
RESIDING AT NO.2-87/1,
PASARLAPUDI KOTTUR MERKA,
MAMMIDI, KUDURU,

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AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

KONASEEMA, GODAVARI EAST,
ANDHRA PRADESH - 533 247.

3. UNITED INDIA INSURANCE CO.LTD.,
REGIONAL OFFICE,
5TH AND 6TH FLOOR,
KRISHI BHAVAN,
NRUPATHUNGA ROAD,
OPP. HUDSON CHURCH,
BENGALURU - 560 001,
REP. BY ITS MANAGER.

…RESPONDENTS

(BY SRI. K. NAGARAJAIAH, ADVOCATE FOR R3;
VIDE ORDER DATED 18.06.2026, NOTICE TO R1 AND R2
ARE DISPENSED WITH)

THIS MFA IS FILED U/S.173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED 06/02/2026 PASSED IN MVC NO.4096/2024 ON THE FILE OF THE VIII ADDITIONAL JUDGE, COURT OF SMALL CAUSES AND ACJM AND THE MOTOR ACCIDENT CLAIMS TRIBUNAL, BENGALURU, 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

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and Award dated 06.02.2026 passed in MVC No.4096/2024 by VIII Additional Judge, Court of Small Causes and ACJM and MACT, Bengaluru (SCCH-5).

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.3/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 occurred on 29.03.2024 contending that the accident occurred due to rash and negligent driving by the driver of car bearing registration No.AP-07-CD-8228.

4. The Tribunal recorded the evidence adduced by the parties and upon appreciating the evidence on record, assessed the compensation and awarded the compensation under various heads as under:

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Sl. No.	Particulars	Amount
1.	Loss of future income	Rs. 4,43,520/-
2.	Pain and sufferings	Rs. 25,000/-
3.	Conveyance, nourishment and attendant charges	Rs. 15,000/-
4.	Medical expenses	Rs. 22,855/-
5.	Loss of amenities in life	Rs. 15,000/-
6.	Loss of income during laid up period	Rs. 49,500/-
	Total	**Rs. 5,70,875/-**

5. The Tribunal has also awarded the interest at the rate of 6% per annum from the date of petition till realisation and directed respondent No.3/insurer to pay the compensation awarded with interest. The claimant has filed the present appeal seeking enhancement of compensation.

6. Heard the learned counsel for appellant and learned counsel for respondent No.3/insurer.

7. The claimant has sustained the following injuries:

a) Right closed shaft femur M/3rd fracture

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b) Right hand closed fracture proximal phalanx ring finger

c) Right foot grade II open 2nd and 3rd metatarsal neck fracture with closed proximal phalanx spiral fracture

8. Considering the said injuries, the compensation awarded by the Tribunal towards pain and sufferings in a sum of Rs.25,000/- is enhanced to Rs.50,000/- and loss of amenities in a sum of Rs.15,000/- is enhanced to Rs.40,000/-.

9. P.W.2 - Doctor has examined the claimant has stated that the claimant has to undergo surgery for removal of implants and for that, he has to spend Rs.40,000/-. Considering the said evidence of Doctor, the claimant is entitled to future medical expenses of Rs.30,000/-. The claimant is not seeking any enhancement under other heads.

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10. Considering the above aspects, the claimant is entitled to enhanced compensation under the following heads:

Sl. No.	Particulars	Amount
1.	Pain and sufferings	Rs. 25,000/-
2.	Loss of amenities	Rs. 25,000/-
3.	Future medical expenses	Rs. 30,000/-
	Total	**Rs. 80,000/-**

11. The claimant is entitled to total enhanced compensation of Rs.80,000/- with interest at the rate of 6% per annum from the date of petition till realisation.

12. The claimant is not entitled to interest on future medical expenses of Rs.30,000/.

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

14. In view of the above, the following:

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ORDER

i) *Miscellaneous First Appeal is* ***allowed-in-part****.*

ii) *The appellant/claimant is 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 appellant/claimant is not entitled to interest on future medical expenses of Rs.30,000/-.*

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

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(SHIVASHANKAR AMARANNAVAR)
JUDGE

KLV
List No.: 1 Sl No.: 40