HC-KAR

NC: 2026:KHC:60170
MFA No. 5214 of 2026

CNR: KAHC010475652026

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. 5214 OF 2026

(MV-D)

BETWEEN:

1. SRI. YADAMANI ADINARAYANA
   S/O. YADAMANI MALLAIAH
   NOW AGED ABOUT 48 YEARS.

2. SMT. Y. SUJATHA
   W/O. Y. ADINARAYANA,
   NOW AGED ABOUT 45 YEARS.

3. Y. DEVI PRASANNA
   D/O. Y. ADINARAYANA,
   NOW AGED ABOUT 26 YEARS.

   ALL ARE RESIDING AT No. 13-16
   KATTIVARIPALLI
   VENGAMAVARIPALLI
   NIMMANAPALLI
   (ANNAMAIAH DISTRICT)
   CHITTOR DISTRICT
   ANDHRA PRADESH-517 280.

…APPELLANTS

(BY SRI. SUSHMITHA G, ADVOCATE)

AND:

1. SRI. MADANAPALLI RASUL BEE
   W/O. M. SAYYAD BASHA

Digitally Signed By:
SHIVASHANKAR BASAPPA
AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

MAJOR IN AGE
RESIDING AT No. 2-222
NAWABPETA
NELLIMANDA (OTHER) SOMALA
CHITTOR DISTRICT
ANDHRA PRADESH-517 257.

2. UNIVERSAL SOMPO GENERAL
INSURANCE Co. LTD.,
No. 7, 2ND FLOOR, SHAH COMPLEX
9TH MAIN, 5TH BLOCK, JAYANAGAR
BENGALURU-560 041.
REP: BY ITS MANAGER.

…RESPONDENTS

(BY SRI RAVI S SAMPRATHI, ADVOCATE FOR R2
V/O DTD. 21.07.2026, NOTICE TO R1 IS DISPENSED WTIH)

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED:31.01.2026 PASSED IN MVC No.5568/2024 ON THE FILE OF THE VI ADDL. JUDGE, COURT OF SMALL CAUSES AND ADDL. CHIEF JUDICIAL MAGISTRATE AND MACT, BENGALURU., PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS APPEAL, COMING ON FOR ORDERS THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL JUDGMENT

This appeal is filed by appellants -claimants seeking enhancement of compensation awarded in judgment and award dated 31.01.2026 passed in MVC No.5568/2024 by

Digitally Signed By:
SHIVASHANKAR BASAPPA
AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

VI Additional Judge, Court of Small Causes and MACT, Bengaluru.

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 No.2 –insurer.

3. The appellants -claimants made a claim petition praying to award compensation for the death of Y Chaithanya Kumar in a road traffic accident occurred on 15.07.2024 contending that the accident occurred due to rash and negligent driving of the driver of Ashoka Leyland Goods Carriage bearing registration No.AP-39/TY-7191. 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	Rs.
1.	Towards loss of Dependency	Rs.24,94,800/-
2.	Towards consortium	Rs.96,800/- (48,400x2)
3.	Loss of Estate	Rs.18,150/-

Digitally Signed By:
SHIVASHANKAR BASAPPA
AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

4.	Funeral expenses	Rs.18,150/-
	Total	**Rs.26,27,900/-**

4. The Tribunal also awarded interest at the rate of 6% per annum from the date of petition till realization and directed respondent No.2 -insurer to deposit the award amount with interest. Claimants seeking enhancement of compensation have filed the present appeal.

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

6. The accident occurred on 15.07.2024 and as on the date of accident, the claimant was aged 21 years. Considering the said age of the claimant, the Tribunal has rightly applied multiplier '18'. Considering that the claimant was a bachelor, the Tribunal has rightly deducted 50% of the income towards personal expenses of the deceased. The Tribunal has also rightly added future prospects at 40%. The deceased has completed his course

Digitally Signed By:
SHIVASHANKAR BASAPPA
AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

in B-Tech CSE as per Ex.P10 certificate issued by KMM Institute of Technology and Science Ramireddipalle, Tirupati. Ex.P11 is the identity card issued by the said college wherein the deceased was a student for B -Tech CSE for the academic years 2020-2024. The accident occurred on 15.07.2024. Ex.P1 is the complaint filed by the father of the deceased wherein it is stated that the deceased has completed his B –Tech and was searching the job at the time of the accident. Considering the said documents and the evidence on record, the claimants have established that the deceased has completed B -Tech CSE course. As per the decision of the Division Bench of this Court in the case of ***Shri Mallikarjun S/o Yallappa Jogannavar and others Vs Shri Umesh M., S/o of Murthy K. and others***[1]***,*** wherein the Division Bench has taken the income of an engineering student at Rs.25,000/- per month. Considering the said aspect, the income of the deceased is to be taken at Rs.25,000/- per month. In view

[1] In 2020 0 Supreme (Kar) 104

Digitally Signed By:
SHIVASHANKAR BASAPPA
AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

of the same, the loss of dependency is calculated as under:

Rs.25,000/- + 40% =Rs.35,000/- less 50% =Rs.17,500/- x 12 x 18 = Rs.37,80,000/-.

7. Claimants are not seeking any enhancement of compensation awarded under other heads. In view of the same, claimants are entitled to enhanced compensation of Rs.12,85,200/- (Rs.37,80,000/- less Rs.24,94,800/-) with interest at the rate of 6% per annum from the date of petition till realization. Respondent No.2 -insurer is liable to pay the said enhanced compensation with interest.

8. In view of the above, the following

ORDER

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

ii) The appellant -claimant is entitled to enhanced compensation for Rs.12,85,200/- with interest

Digitally Signed By:
SHIVASHANKAR BASAPPA
AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

at the rate of 6% per annum from the date of petition till realization.

iii) Respondent No.2 -insurer shall deposit the said enhanced compensation with interest before the Tribunal within a period of 06 weeks from this date.

iv) Claimants are entitled to release of enhanced compensation in the ratio of 45:45:10.

v) Out of the enhanced compensation, 50% shall be released to claimants as per their respective share and 50% of their share shall be kept in fixed deposit in their respective names in Karnataka Bank, City Civil Branch, Bengaluru for a period of 03 years.

Digitally Signed By:
SHIVASHANKAR BASAPPA
AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

(SHIVASHANKAR AMARANNAVAR)
JUDGE

DSP
List No.: 1 Sl No.: 12
Ct.sm