NC: 2026:KHC:21102
MFA No. 7006 of 2025

HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

MISCELLANEOUS FIRST APPEAL NO. 7006 OF 2025 (MV-D)

BETWEEN:

1. SMT. VENKATALAKSHMAMMA
   W/O LATE SHIVANNA,
   NOW AGED ABOUT 43 YEARS,

2. SRI. CHIRANJEEVI
   S/O. LATE SHIVANNA,
   NOW AGED ABOUT 24 YEARS,

3. KUMARI CHITHRALEKHAA G.S
   D/O LATE SHIVANNA,
   NOW AGED ABOUT 21 YEARS,

4. SRI. VENKATAPPA
   S/O CHIKKAMUNIYAPPA,
   NOW AGED ABOUT 70 YEARS,

   APPELLANT NO.1 AND 3 ARE
   RESIDING AT GAMBEERANAHALLI VILLAGE,
   SIDLAGHATTA TALUK,
   CHIKKABALLAPURA DISTRICT.

   APPELLANT NO.2 AND 4 ARE
   RESIDING AT NISHANTH PRIDE,
   B. NARAYANAPURA,

Digitally signed by PADMASHREE SHEKHAR DESAI
Location: High Court of Karnataka

BENGALURU EAST TALUK,
BENGALURU - 560 016.

…APPELLANTS

(BY SMT. SUSHMITHA G, ADVOCATE)

AND:

THE REGIONAL MANAGER
APSRTC, MADANAPALLI TOWN,
ANDHRA PRADESH.

AND ALSO AT
THE MANAGER
(ASSISTANT TRAFFIC MANAGER)
APSRTC, BENGALURU POINT,
KSRTC BUS STAND, MAJESTIC,
BENGALURU - 560 009.

…RESPONDENT

(BY KUM. SONALI, ADVOCATE FOR
SRI. D. VIJAYA KUMAR, ADVOCATE)

THIS MFA IS FILED U/S.173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DT.11.02.2025 PASSED IN MVC NO.6298/2022 ON THE FILE OF THE CHIEF JUDGE, COURT OF SMALL CAUSES, MEMBER, PRL MACT, 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 MRS. JUSTICE P SREE SUDHA

ORAL JUDGMENT

Heard the learned counsel for both parties.

2. This appeal is filed by the appellants/claimants under Section 173(1) of the Motor Vehicles Act, 1988 challenging the judgment and award dated 11.02.2025 passed in MVC No.6298/2022 on the file of the Chief Judge, Court of Small Causes, Member Principal MACT, Bengaluru, for enhancing the compensation.

3. Brief facts of the case are that, one Shivanna, met with an accident on 11.04.2022 and died subsequently. His wife, children and parents filed claim petition claiming compensation of Rs.50,00,000/-. The Tribunal considering the entire oral and documentary evidence on record granted an amount of Rs.20,58,850/- with interest at the rate of 6% per annum from the date of petition till its realisation. It is stated in the cause title that petitioner No.4, the mother of the deceased, expired on

15.05.2024 during the pendency of the appeal. Being aggrieved by the said order, the claimants have preferred this appeal and mainly contended that the Tribunal has not considered future prospects. As the deceased was aged 46 years at the time of death and was self-employed, he is entitled to 25% towards future prospects. Thus, requested for enhancement of the compensation.

4. Though the claimants stated that Shivanna was working as a mason and earning Rs.25,000/- per month, they have not filed any income proof. As he met with an accident in the year 2022, his notional income has been rightly considered by the Tribunal as Rs.15,500/- per month. The deceased was aged 46 years and the relevant multiplier applicable is 13. He is entitled for 25% towards future prospects and one-fourth is to be deducted towards personal expenses. Accordingly, loss of dependency comes to Rs.15,500 + 25% x 12 x 13 – ¼ = **Rs.22,66,875/-**. Petitioner No.1 is entitled to **Rs.44,000/-** towards spousal consortium. Petitioner Nos.2 and 3 are entitled to

Rs.44,000/- each towards parental consortium and Petitioner No.5 is entitled to **Rs.44,000/-** towards filial consortium. The claimants are also entitled to **Rs.33,000/-** towards conventional heads.

5. Thus in all, compensation awarded by this Court is as below:

Sl.Nos.	**Particulars**	**Amount in Rs.**
1	Towards loss of dependency	22,66,875
2	Towards spousal consortium to petitioner No.1	44,000
3	Towards parental consortium to petitioner No.2 and Petitioner No.3	44,000 44,000
4	Towards filial consortium to Petitioner No.5	44,000
4	Towards conventional heads	33,000
	Total	**24,75,875/-**

6. Hence, the appellants-claimants are entitled for a total compensation of Rs.24,75,875/- along with interest at the rate of 6% p.a.

7. In the result, the following order is passed:

ORDER

i. Appeal is ***allowed*** in part.

ii. The judgment and award dated 11.02.2025 passed in MVC No.6298/2022 on the file of the Chief Judge, Court of Small Causes, Member Principal MACT, Bengaluru, is modified.

iii. The claimants are entitled to a sum of **Rs.24,75,875/-** along with interest at 6% per annum from the date of petition till the date of realization, instead of Rs.20,58,850/- granted by the tribunal.

iv. Respondent has already deposited the awarded amount before the Tribunal. Therefore, the respondent is directed to deposit the enhanced compensation of **Rs.4,17,025/-** along with the interest at

the rate of 6% within one month from the date of this order.

v. On such deposit, petitioner No.1-wife of the deceased alone is permitted to withdraw the entire amount along with interest accrued on the same.

vi. The petitioners are not entitled for interest for the delay period of 118 days as per the order on I.A.No.1/2025 dated 6.04.2026.

Sd/-
(P SREE SUDHA)
JUDGE

SHS
List No.: 1 Sl No.: 52