HC-KAR
NC: 2026:KHC:64189
MFA No. 7774 of 2025
CNR: KAHC010680952025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

MISCELLANEOUS FIRST APPEAL No. 7774 OF 2025

(MV-D)

BETWEEN:

1. SMT REYAZ BANU
   W/O LATE RALLAPALLI SIDDABAVAIAH
   AGED ABOUT 37 YEARS

2. R NAMEERA
   D/O LATE RALLAPALLI SIDDABAVAIAH
   AGED ABOUT 17 YEARS.

3. R SAMEERA
   D/O LATE RALLAPALLI SIDDABAVAIAH
   AGED ABOUT 16 YEARS.

   SINCE APPELLANTS 2 AND 3
   ARE MINORS BEING REPRESENTED
   BY THEIR MOTHER- CUM -NATURAL
   GUARDIAN THE APPELLANT No. 1.

4. RALLAPALLI SAKEENA
   W/O LATE RALLAPALLI DASTHGIR SAB
   AGED ABOUT 64 YEARS,

   ALL ARE R/AT No. 7-71
   NALLACHERUVU VILLAGE AND MANDAL
   ANANTHAPUR DISTRICT

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SHIVASHANKAR BASAPPA
AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

ANDHRA PRADESH STATE
PIN CODE – 515 551.

…APPELLANTS

(BY SRI SUGUNA R REDDY, ADVOCATE)

AND:

1. SRI MOHAMMED SAHEB SYED
S/O SYED MOHAMMED ISMAIL
MAJOR IN AGE, R/AT UMAR BAGH LAY- OUT
UTTARAHALLI,
BANGALORE PIN CODE – 560 061.

2. THE BRANCH MANAGER
SRIRAM GENERAL INSURANCE COM. LTD,
No. 3/5, 3RD FLOOR, S V ARCADE
BELEKAHALLI MAIN ROAD
OFF BANNERGHATTA ROAD, 11 MB POST
BANGALORE, PIN CODE – 560 076.

…RESPONDENTS

(BY SRI MALLIKARJUNA REDDY N A, ADVOCATE FOR
SRI B PRADEEP, ADVOCATE FOR R2
V/O DTD. 13.10.2026, NOTICE TO R1 D/W)

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED:30.11.2024 PASSED IN MVC No.6499/2022 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 ORDERS THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

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AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

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ORAL JUDGMENT

This appeal is filed by appellants -claimants seeking enhancement of compensation awarded in judgment and award dated 30.11.2024 passed in MVC No.6499/2022 by Chief Judge, Court of Small Causes and Member Principal 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 made a claim petition praying to award compensation for the death of Rallapalli Sidda Bavaiah in a road traffic accident occurred on 22.07.2021 contending that the accident occurred due to rash and negligent driving of the driver of car bearing registration No.KA-38/M-3114. The Tribunal after recording the evidence of the parties, appreciating the evidence

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assessed the compensation and awarded compensation under various heads as under:

Sl.No.	Head of Compensation	Amount/Rs
1	Loss of dependency	20,25,000-00
2	Loss of estate	16,500-00
3	Funeral expenses	16,500-00
4	Loss of Consortium to petitioners No.1 to 4 at Rs.44,000/each	1,76,000-00
	Total	**22,34,000-00**

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. The 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. Learned counsel for appellant submits that the Tribunal has not added future prospects while awarding loss of dependency. The deceased was aged 37 years as

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on the date of accident and therefore, future prospects are to be added at 40%.

7. The Tribunal has awarded loss of dependency in a sum of Rs.20,25,000/-. The future prospects at 40% are to be added to the said loss of dependency awarded by the Tribunal. Therefore, loss of dependency is calculated as under:

Rs.20,25,000/- + 40% = Rs.28,35,000/-.

8. In view of above, claimants are entitled to loss of dependency in a sum of Rs.28,35,000/- as against Rs.20,25,000/- as awarded by the Tribunal. Consequently, claimants are entitled to enhanced compensation of Rs.8,10,000/- with interest at the rate of 6% per annum from the rate of petition till realization. Claimants are not entitled to interest for the delay period of 211 days in filing the appeal as per the order dated 19.11.2026 passed on IA No.1/2025. Respondent No.2 is liable to pay the said enhanced compensation with interest.

9. In view of the above, the following

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ORDER

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

ii) Appellants -claimants are entitled to enhanced compensation of Rs.8,10,000/- with interest at the rate of 6% per annum from the date of petition till realization.

iii) Claimants are not entitled to interest for the delay period of 211 days in filing the appeal.

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

v) Claimants are entitled to equal share in the enhanced compensation amount.

vi) The share of compensation amount of appellant Nos. 2 and 3/claimant Nos. 2 and 3 -minors shall be kept in fixed deposit in their respective name in Karnataka Bank, City Civil Court Branch, Benagluru till they attain majority.

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vii) The share of compensation of appellant Nod.1 and 4/claimant Nod.1 and 4 shall be kept in fixed deposit in their respective names for a period of 03 years in Karnataka Bank, City Civil Court Branch, Bengaluru.

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(SHIVASHANKAR AMARANNAVAR)
JUDGE

DSP
List No.: 1 Sl No.: 18
Ct.sm