

(2026) 08 KAR CK 2255

In the Karnataka High Court, Bengaluru Bench

Case No : MISCELLANEOUS FIRST APPEAL No. 5208 OF 2025 (MV-I)

Sri Srinivasa

APPELLANT

Vs

Sri Sathyanarayana & Anr.

RESPONDENT

Date of Decision : 05-08-2026

Acts Referred:

MV Act — Section 173(1)

Citation : (2026) 08 KAR CK 2255

Hon'ble Judges : Shivashankar Amarannavar, J

Bench : Single Bench

Advocate : Sri Bhojaraja, Sri A Ravishankar

Final Decision : Partly Allowed

Judgement

This appeal is filed by the appellant/claimant seeking enhancement of compensation awarded in judgment and award dated 15.01.2025 passed in MVC No.1481/2019 by the Senior Civil Judge and Addl.MACT, Sira.

2. The appellant/claimant made a claim petition praying to award compensation for the injuries sustained by him in a road traffic accident occurred on 30.06.2019 contending that the accident occurred due to rash and negligent driving of the rider of Bike bearing KA-06-EA-2404. 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.	Towards medical expenses	61,419/-
02.	Towards loss of income during laid up period	84,000/-
03.	Towards loss of future income	4,28,400/-

04.	Towards pain and suffering	50,000/-
05.	Towards future medical expenses	80,000/-
06.	Towards food, nourishment, attendance charges and conveyance	20,000/-
	Total	7,23,819/-

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

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

5. Learned counsel for appellant would contend that the claimant has sustained fracture of both bones of right leg and fracture of distal end left radius. Considering the said injuries the compensation awarded by the Tribunal for pain and suffering is on lower side. The Tribunal has not awarded compensation for loss of amenities. With this, he prayed to allow the appeal.

6. Learned counsel for respondent No.2/insurer would contend that the compensation awarded by the Tribunal on all heads is just and proper and there are no grounds for enhancement.

7. Having heard the learned counsels, the Court has perused the judgment, award and trial Court records.

8. The date of accident is 30.06.2019 and the claimant was aged 27 years as on the date of accident. Ex.P6 is the wound certificate and as per the same, the claimant has sustained fracture of both bones of right leg and fracture of distal end left radius. Considering the said injuries, the compensation awarded towards pain and suffering is on lower side. Therefore, the claimant is entitled to a sum of Rs.90,000/- towards pain and suffering as against Rs.50,000/- awarded by the Tribunal. The Tribunal has not awarded loss of amenities. In view of the injuries noted supra, the claimant is entitled to Rs.50,000/- towards loss of amenities. The compensation awarded by the Tribunal on all other heads is just and proper.

9. In view of the above, the claimant is entitled to enhanced compensation of Rs.90,000/- with interest @ 6% p.a. from the date of petition till realization. Respondent No.2/insurer is liable to pay the said enhanced compensation with interest.

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.90,000/- with interest @ 6% p.a. from the date of petition till realization.
- iii) Respondent No.2/insurer shall deposit the enhanced compensation amount with interest within a period of six weeks from this day.
- iv) Appellant/claimant is entitled to release of entire enhanced compensation.
- v) Office is directed to send back trial Court records.