

**Award**

Petition Filed on : 11-07-2022  
Petition Disposed on : 10-06-2026

**IN THE COURT OF THE PRL. SENIOR CIVIL JUDGE & MEMBER,  
M.A.C.T.-IV. AT DAVANAGERE**

**M.V.C. No.317/2022**

| <b>PETITIONER/S</b>                                                                                                                                                                                                          | <b>V/s</b> | <b>RESPONDENT/S</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Khaja Sharmath Ali @ Khaja Sharmath Ali K.M., S/o Mahboob Sab, Aged about 35 years, Occ: Nil, R/o Navilehal village, Chanagiri Taluk, C/o Riyaz Ahamed K.R., No.108, 'A' Block, Industrial Area, S.O.G., Colony, Davanagere. |            | <p>1. C. Hareesha S/o Channabasappa, Aged about 22 years, Occ: Agriculturist, R/o Gunagali, Holalkere taluk, Chitradurga district.</p> <p>(R.C. Owner of Maruti Omni Van No.KA-18/P-4303).</p> <p>2. Ramanna S/o Lingappa, Aged about 40 years, Occ: Agriculturist, R/o. 5/45/5, At &amp; Post Masakaral, Devadurga taluk, Raichur district.</p> <p>(Insured of Maruti Omni Van No.KA-18/P-4303).</p> <p>3. The Divisional Manager, United India Insurance Co. Ltd., Divisional Office, MMK Complex, AVK College Road, P.J. Extension, Davanagere.</p> <p>(Insurance Policy Issuing office of Maruti Omni bearing Reg.No.KA18/P-4303) United India Insurance Co. Ltd., 1st floor, ANAGA Complex, Near Chandramouleshwara Chowk, Lingasagur road, Raichur.</p> |

This petition is filed by the petitioner/s U/S.166 of M.V. Act on 11-07-2022 claiming Compensation of Rs.15,00,000-00 on account of grievous injuries sustained by the petitioner, owing to the

accident took place near Edara Srinivasa House, Venkateshwara Camp, Santhebennur-Tyavanige Road, Davanagere District at about 5-30 p.m., on 06/10/2021 due to rash and negligent driving of Maruthi Omni Van bearing Reg. No. KA-18-P-4303.

This case is coming on this 10<sup>th</sup> day of June 2026 for final disposal before Sri. M. Mahesh Babu., B.A., L.L.M., Prl. Senior Civil Judge and Member MACT-IV Davanagere, in the presence of Sri. R.K. Munshi, Advocate for Petitioner and Smt. I.K. Manjula, Advocate for Respondent No.3 and Respondent No.1 and 2 are ex-parte.

**By Judgment,** it is ordered and awarded that, The petition filed by the petitioner U/Sec.166 of M.V.Act 1988 is hereby allowed in part with cost.

It is further ordered and awarded that, It is hereby directed to respondent No.1 & 2 to pay compensation of Rs.4,37,650/- (Rupees Four Lakhs Thirty-Seven thousand Six Fifty only) to the petitioner with interest at the rate of 6% per annum from the date of petition, till its payment and the petition against respondent No.3 Insurer is hereby dismissed.

It is further ordered and awarded that, However, by invoking the principles of Pay & Recovery, the respondent No.3 being the Insurer is directed to deposit the entire award amount within three months from the date of this order.

It is further ordered and awarded that, It is made clear that respondent No.3- Insurer will be having liberty to pay the compensation and recover the same from the owner and driver of the offending vehicle as per the dictum of the Hon'ble Apex Court.

It is further ordered and awarded that, As per the judgment of Hon'ble Supreme Court of India passed in Civil Appeal No.4299/2025 between Paraminder Singh V/s Honey Goyal and others, the respondent No.3 is hereby directed to transfer the compensation amount with interest to the account of the petitioner after due verification within two months along with up-to-date interest. The petitioner is directed to furnish particulars of bank details to the respondent No.3 within a period of two weeks from the date of this order.

It is further ordered and awarded that, The advocate fee is fixed at Rs.1,000/-.

Given under my hand and the seal of the Court, this 10<sup>th</sup> day of June 2026.

Sd/-,  
Prl. Senior Civil Judge  
& Member, M.A.C.T.-IV.,  
Davanagere.

Award notified on 16.06.2026

Award signed on 17.06.2026

Sd/-,  
Prl. Senior Civil Judge  
& Member, M.A.C.T.-IV.,  
Davanagere.

**MEMORANDUM OF COSTS**

|                       | For petitioner/s       | For Respondents |
|-----------------------|------------------------|-----------------|
| Court fee on petition | 10-00                  | -               |
| Process Fee           | 15-00                  | -               |
| Advocate fee          | 1,000-00<br>(FC filed) | -               |
| <b>Total</b>          | <b>1,015-00</b>        | -               |

Sd/-,  
Prl. Senior Civil Judge  
& Member, M.A.C.T.-IV.,  
Davanagere.