

**Award in MVC**

Petition Filed on : **24-08-2021**  
Petition Disposed on : **07-04-2026**

**IN THE COURT OF THE SENIOR CIVIL JUDGE AND M.A.C.T., AT  
HARIHARA.**

**M.V.C.No.473/2021**

**PRESENT: Smt.PADMASHRI A MUNNOLI**  
**B.A .(L). LL.B.,**  
**Senior Civil Judge & JMFC,**  
**Harihara.**

**Dated this the 07<sup>th</sup> day of APRIL 2026.**

**PETITIONER ::** 1. Smt.Reshma.K. w/o  
Mehaboob Sab  
Aged about 37 years,  
R/o Near Srikantha Talkies.  
Harihara.  
Davanagere Dist.

**V/s**

**RESPONDENTS:** 1. Sri.Diwakar Saliyana  
Sundervyali,  
Aged about 42 years,  
Kumbara Caste,  
Driver of Lorry No.  
KA.19 AC 0371,  
R/o Shirali Village,  
Beltangadi taluk,  
Dakshina Kannada Dist.

2.Smt.Kyatharin D'souza  
w/o Igneshiyas D souza,  
Proprietor of AVE Mariya Fvels,  
Permude Panchayath,  
Permude,  
Mangalore-574509.

3.Divisional Manager  
The Oriental Insurance Co.Ltd.,  
Davanagere.

(Policy No.422203/31/2021/2495 valid  
from 25.08.2020 to 24.08.2021).

**CLAIM :**

This petition is filed by the petitioner U/S.166 of I.M.V. Act on 24-08-2021 claiming Compensation of Rs.21,00,000=00 with interest at the rate of 18% p.a. and court costs from the date of petition till the date of realisation from the Respondents on account of grievous injuries sustained by the Petitioner owing to the accident took place on 20-11-2020 at about 8-30 A.M. near N.P.Vishwanath's land and land of Varnekar due to the rash and negligent driving of Lorry bearing Regn. No. KA -19/AC-0371 driven by its driver Respondent No.1.

This case is coming on this day for final disposal before me, in the presence of Sri.M.Nagendrappa Advocate for Petitioner, Sri.H.M.Shadaksharaiah Advocate for Respondent No.3 and Respondent Nos.1 and 2 are placed Ex-parte.

**BY JUDGMENT.**

The Petition filed by the Petitioner U/Sec.166 of Motor Vehicles Act , 1988 is hereby allowed in part with costs.

It is further ordered and decreed that the Petitioner is entitled for a total compensation of Rs.7,18,380/-(Rupees Seven Lakhs Eighteen Thousand and Three hundred Eighty Only) with interest at the rate of 6% p.a. from the date of petition till the realization.

It is further ordered and decreed that Respondents No.2 and 3 are jointly and severally liable to pay compensation amount.

It is further ordered and decreed that Respondent No.3, being the insurer is directed to deposit award amount within two months from the date of award.

It is further ordered and decreed that on deposit of the award amount, with accrued interest, 60% of the total compensation amount shall be released in favour of the petitioner and remaining 40% shall be kept as FD in the name of Petitioner for a period of 05 years in any nationalized bank of the choice of the petitioner.

It is further ordered and decreed that the Advocate's fees is fixed at Rs.500/-.

Given under my hand and the seal of the Court, this the **07<sup>th</sup>** day of **APRIL - 2026**.

Sd/-

**Senior Civil Judge & M.A.C.T.,  
Harihara.**

Award notified on : 15.04.2026

Award signed on : 17.04.2026.

Sd/-

**Senior Civil Judge & M.A.C.T.,  
Harihara.**

**MEMORANDUM OF COSTS.**

<b>Particulars</b>	<b>For petitioners</b>	<b>For Respondents</b>
Court Fee on Petition	Rs.10-00	--
Court Fee on Vakalath	--	--
Paper publication charges.	--	--
Court Fee on Process	Rs. 75-00	--
Advocate Fee	Rs.500-00	--
Court Commissioner fee	--	--
	<b>(F.C. not filed)</b>	<b>(FC not filed)</b>
<b>Total :-</b>	<b>Rs. 585=00</b>	<b>--</b>

Sd/-

**Senior Civil Judge & M.A.C.T.,  
Harihara.**