

Award in MVC

Petition Filed on : **01-07-2024**
Petition Disposed on : **16-03-2026**

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

M.V.C.No.339/2024

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

Dated this the 16th day of MARCH 2026.

Petitioner ::

1.Smt.Sowbhagya Lakshmi
w/o Late H.R.Veerendrakumar Shrestti
Aged about 38 years,

2. Sri.R.V.Balaji Shrestti s/o
Late Veerendrakumar Shrestti
Aged about 17 years,

Since 2nd Petitioner is minor
represented by his mother Petitioner No.1 .

3. Smt.Manjamma w/o Late
Rathna Shobha Swamy
Aged about 70 years,

R/o Ward No.29,
Mahathma Gandhi Kolache Pradesha
Harihara Taluk,
Davanagere District.

V/s

Respondents :

1. Sri.Darshan Kumar.K. s/o
Jagadeeshappa.K.
Aged about 31 years,
Driver of N.Field bike
No.KA 68 E 4088

R/o Hanagavadi Village,
Harihara Taluk,
Davanagere Dist.

2. Sri.Anil Heggappanavar s/o
Girish
Aged about 35 years,
R/o Vagish Nagara,
Kodiyal Hospet,
Ranebennur taluk,
Haveri Dist.

3. The Manager,
The New India Assurance Co.Ltd.,
Address : 1st flour, Wali complex,
Shimogga Road, Harihara,

Policy No.68050331230100002337.
Period of cover from 25.6.2023 to 24.6.2024).

CLAIM :

This petition is filed by the petitioner U/S.166 of I.M.V. Act on 01-07-2024 claiming Compensation of Rs.50,00,000=00 with interest at the rate of 9% p.a. and court costs from the date of petition till the date of realisation from the Respondents on account of death of deceased Sri.Veerendrakumar Shrestti s/o Rathna Shobha Swamy @ Rathnaiah Shrestti owing to the accident took place on 15-04-2024 at about 10-00 P.M. near Vidyanagara , Harihara Shimoga State Highway Road Harihara due to the rash and negligent driving of N field Bike bearing Regn. No. KA 68-E-4088 driven by its driver Respondent No.1.

This case is coming on this day for final disposal before me, in the presence of Sri.Ramesh G.B. Advocate for Petitioners, Sri.Ganti

Kubera Gowda Advocate for Respondent Nos.1 and 2 and Sri.H.Nagaraja Advocate for Respondent No.3.

BY JUDGMENT.

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

It is further ordered and decreed that the petitioners No.1 to 3 are entitled for a total compensation of Rs.23,02,000/- (Rupees Twenty three Lakhs Two Thousand only) with interest at the rate of 6% p.a. from the date of petition till realization.

It is further ordered and decreed that Respondent No.2 and 3 are liable to pay compensation to the petitioners .

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

It is further ordered and decreed that out of the total compensation of Rs.23,02,000/- with interest ordered above on deposit , Petitioner No.1 is entitled for 60% of the total compensation amount and petitioner No.2 and 3 are entitled for 20% each of the total compensation amount.

It is further ordered and decreed that out of the apportioned amount of Petitioners No.1, 50% shall be released in her favour by creating the recipient ID and remaining 50% of the apportioned amount shall be kept as fixed deposit in any nationalized bank of the choice of petitioner No.1 in her name for a period of 03 years.

It is further ordered and decreed that the entire apportioned amount of Petitioner No.2 shall be kept as fixed deposit in any nationalized bank of the choice of Petitioner No.1 until petitioner No.2 attains the age of 21 years. However, the petitioner No.1 can withdraw

the periodical interest that would accrue on the said deposit for the benefit of minor.

It is further ordered and decreed that out of the 20% of the total compensation apportioned against petitioner No.3, 50% shall be released in her favour and remaining 50% shall be kept as FD in her name for a period of 03 years in any nationalized bank of the choice of petitioner No.3.

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

Given under my hand and the seal of the Court, this the **16th day of MARCH - 2026.**

Sd/-

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

Award signed on : 24.03.2026.

Sd/-

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

MEMORANDUM OF COSTS.

Particulars	For petitioners	For Respondents
Court Fee on Petition	Rs. 10-00	--
Court Fee on Vakalath	--	--
Paper publication charges.	--	--
Court Fee on Process	Rs. 15-00	--
Advocate Fee	Rs.500-00	--
Court Commissioner fee	--	--
	(F.C. not filed)	(FC not filed)
Total :-	Rs. 525=00	--

Sd/-

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