

KADK310004842022



Presented on : 08-02-2022
Registered on : 16-03-2022
Decided on : 29-06-2026
Duration : 04 years, 04months, 21 days

**IN THE COURT OF THE I ADDITIONAL SENIOR CIVIL
JUDGE & J.M.F.C., AT PUTTUR**

: PRESENT :

**Devaraj Y.H., B.A.L., L.L.B,
I Additional Senior Civil Judge & JMFC.,
Puttur, D.K.**

DATED THIS THE 29th DAY OF JUNE, 2026

:: M.V.C./338/2022 ::

PETITIONER

RAKSHITH G.N.
S/o.Neelappa Gowda,
Aged about 29 Years,
R/At.2-164, Gujjarme House
Charvaka Village,
Kadaba Taluk D.K

(Rep. By. Adv: Sri K. N. D)

V/S.

RESPONDENTS

1. Sri. K.V Joseph
S/o. K C Verghese Adult,
R/at.32, Zion, Ramayya Colony,
Sector -2B, Asavanahar,
Bengaluru, 560037
2. Zuno General Insurance Company
(Formerly Known as Edelweiss GIC
Ltd) Kamala Arcade, 1st floor,
New No:71.(old No:88/A) 26th Main.
37th B cross. Jayanagar 9th Block

Bangalore. 5600069

Policy No.900231407

Validity 14.10.2021 to 13.10.2022

(R1 Rep. By Sri. H.A.M Advocate)

(R2 Rep. By Sri. U.S.N Advocate)

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:: JUDGMENT ::

This claim petition is filed by the petitioner U/s 166 of MV Act claiming compensation for the injuries sustained by him in the Motor Vehicle Accident.

2. Brief facts of the petitioner's case is as hereunder.,

It is stated that on 06.12.2021 at about 06.00 pm, when the Petitioner was proceeding in a Motor cycle bearing Registration No. KA-21-EB-3237 towards Puttur Town to Tenkila side, at a place called Tenkila, Puttur Kasaba, Village Puttur Taluk D.K., one Omni Car bearing registration No. KA-03-MB-0737 driven by its Driver in a high speed, rash and negligent manner after coming to the extreme left side of the road dashed to the Motor Cycle rode by the petitioner. Due to the impact of the said

accident, petitioner sustained grievous injuries as mentioned in Wound Certificate.

3. It is stated that immediately after the accident Petitioner was shifted to Mahaveer hospital, therein he was treated as an inpatient for 10 days i.e., 06-12-2021 to 15.12.2021, then due to the financial problem, on his request petitioner was discharged with strict advice of the doctor to take regular follow up treatment and complete bed rest for 2 Months. Stated that the injuries caused to the Petitioner were not completely healed till now.

4. It is stated that before the accident, Petitioner was aged about 29 years healthy and energetic Man. State that the Petitioner was a Employed in private firms by occupation and thereby he was earning Rs.20,000/- per month. But due to the injuries caused in the accident petitioner became permanent disabled person as such he is not in a position to do any kind of day-today activities and he was lost his income and future income.

5. It is stated that, the accident was caused only due to the rash and negligent driving of Omni Car bearing

registration no. KA-03-MB-0737, hence 1st respondent being the R.C. Owner and 2nd respondent being the insurer of offended Omni Car bearing registration No. KA-03-MB-0737 are jointly and severally liable to pay the compensation to these petitioners. Thus prays to award compensation amount of Rs.20,00,000/-(Rupees Twenty Lakhs only) as compensation towards the special and general damages with an interest at 12% p.a. from the date of this accident till the recovery of the claim and cost of this petition.

6. After institution of this petition, notices were issued notice to the respondents. In response of the notice respondent No. 1 & 2 put their appearance through their respective advocates. Respondent No.1 not opted to file the written statement. Respondent No.2 filed the written statement.

7. GIST OF THE WRITTEN STATEMENT FILED ON BEHALF OF THE 2nd RESPONDENT

It is stated that this petition is false, frivolous, vexatious and not maintainable at law or on the facts of the case and

the petition is filed with an ulterior motive.

8. Respondent No.2 denied the nature of the accident, injuries caused to the petitioner, age, occupation and income of the petitioner as mentioned in the petition.

9. Respondent No.2 stated that, the accident was occurred entirely due to negligent riding of the petitioner who was liable for the accident. The petitioner being the tortfeasor in the above case is not entitled to claim any compensation from the Respondent No.2. Respondent No.2 stated that, the riders of the respective vehicles have got no valid and effective driving license and fitness at the time of the accident, hence the respondent is nowhere liable to pay any compensation to the petitioner.

10. Respondent No.2 denied the averments made with regard to nature of injuries, period of treatment and expenditure incurred thereon by the petitioner. Respondent No.2 denied that, the petitioner had spent Rs.5,00,000/- towards the treatment and further in need of Rs.2,00,000/- for future treatment. It is denied that, the petitioner was doing work in a private firm and earning

Rs.20,000/- per month. It is denied that due to the injuries sustained in the above accident the petitioner has suffered permanent disablement and unable to do any kind of work as earlier.

11. It is stated that the Omni Car bearing Reg. No.KA-03-MB-0737 was validly insured with the respondent No.2 at the time of accident and the liability of the respondent No.2 is strictly governed by the terms and conditions of the policy issued.

12.Perused the petition and the written statement as well the documents. Below mentioned issues have been framed by this Tribunal.,

ISSUES

1. Whether the petitioner proves that, on 6.12.2021 at about 6.00 p.m, at a place called Tenkila, Puttur Kasba Village Puttur taluk, D.K, the accident was occurred due to rash and negligent driving of the Omni Car bearing Reg. No.KA 03 MB 0737 by its driver and due to the accident, he sustained injuries?
2. Whether the respondent No.2 proves that the rider of the motor cycle bearing Reg. No. KA 21 EB 3237 and the driver of the car bearing Reg. No.KA 03 MB 0737 were not holding valid DL and fitness at the time of the accident?

3. Whether the petitioner is entitled for compensation? If so, to what extent? Recoverable from whom?
4. What order or award?

13. In order to prove his case, petitioner examined himself as PW.1 and produced 12 documents which were marked as Ex.P1 to 12. Further in support of his case, through the Court Commissioner petitioner examined the Doctor by name Sri. Pradeep Kumar as Cw-1. Cw-1 produced the Case Sheet which is marked as Ex.C-1.

14. Respondents have not adduced any evidence. Counsel for the respondent no.2 produced copy of the insurance policy of the offended Omni Car bearing Reg. no.KA-03-MB-0737 which was marked as Ex.R1 with the consent of counsel for the petitioner.

15. Heard counsel for both parties and merits. Perused the pleadings, oral and documentary evidence adduced by the parties. My findings to the above issues is as hereunder.,

Issue No.1 : In the Affirmative
Issue No.2 : In the Negative
Issue No.3 : In partly Affirmative
Issue No.4 : As per final order
for the following ;

REASONS

16. **Issue No.1:** It is the specific case of the petitioner that 06-12-2021 at about 6.00 p.m. Tenkila, Puttur Kasaba Village, Puttur Tq, the accident was occurred due to rash and negligent driving of the Omni Car bearing Reg. no.KA-03-MB-0737 by its driver and due to the impact, the petitioner sustained injuries as mentioned in the wound certificate.

17. On the contrary, Respondent No.2 filed the written statement and denied the case pleaded by the in that petition. They have denied that due to the rash and negligent driving of the offended Omni Car by its driver the accident was taken place. Further they have denied regarding injuries caused to the petitioner in the said accident as well the treatment taken by the petitioner in

Mahaveer Medical Centre at Puttur with respect of the injuries caused to him in the alleged road traffic accident.

18. Burden cast on the petitioner to prove that, on 06-12-2021 at about 6.00 p.m. Tenkila, Puttur Kasaba Village, Puttur Tq, the accident was occurred due to rash and negligent driving of the Omni Car bearing Reg. no.KA-03-MB-0737 by its driver and due to the impact, the petitioner sustained injuries as mentioned in the wound certificate.

19. In order to prove his case, petitioner examined himself as PW.1 and produced 15 documents which were marked as Ex.P1 to Ex.P15. Pw-1 filed affidavit in lieu of his examination in chief, wherein he reiterated all the averments made in his petition.

20. On perusal of the documentary evidence adduced by the petitioner Ex.P1 is the true copy of the FIR. Ex.P-2 is the true copy of the complaint given by the petitioner with regarding to the accident occurred on 06-12-2021. Ex.P3 is the true copy of the Wound Certificate. Ex.P4 is

the true copy of the intimation letter. Ex.P5 is the true copy of the Spot Panchanama, Ex.P-6 is the true copy of the rough Sketch, and Ex.P7 is the true copy of the Motor Vehicles Accident Report. Ex.P8 is the true copy of the Accident Information Report Register. Ex.P9 is the Disability Certificate. Ex.P-10 is the Discharge summary. Ex.P-11 is the true copy of the charge sheet. Ex.P12 is the medical bills (24 in numbers).

21. It is the case of the petitioner that the accident in question was occurred solely due to the rash and negligent driving of the offended Car by its driver. To substantiate this aspect petitioner has led his oral evidence as PW.1 and reiterated the petition averments and deposed with regard to cause of accident.

22. On perusal of the Ex.P11, it clarifies that the Investigating Officer/PSHO, Puttur Traffic Police Station after the completion of the Investigation has submitted the charge sheet to the Hon'ble Prl. Sr. Civil Judge & ACJM Court, Puttur against the driver of the Omni Car bearing Reg. no.KA-03-MB-0737 alleging that the

accident was caused due to the rash and negligent driving of the offended Car by its driver and due to the impact of the said accident petitioner sustained simple and grievous injuries as mentioned in Ex.P-3. Thus it clarifies that the accident was caused entirely on the rash and negligent driving of the Omni Car bearing Reg. no.KA-03-MB-0737 by its driver.

23. On the other hand, the petitioner by relying upon the wound certificate which was marked as Ex.P3, Discharge Summary & Disability Certificate which were marked as Ex.P10 and Ex.P-9 established that he had sustained simple & grievous injuries as mentioned in those documents due to the accident caused on 06-12-2021 which was due to the rash and negligent driving of the Omni Car bearing Reg. no.KA-03-MB-0737 by its driver.

24. On the contrary, Respondent No.2 not opted to adduce oral or the documentary evidence in order to disprove the case putforth by the petitioner through his oral and documentary evidence. Respondent no.2 has not

produced any documents in order to prove that they have challenged the police records which were produced by the petitioner through his documentary evidence. Thus it can be inferred that the accident was caused only due to the rash and negligent driving of the offended Car bearing Reg. no.KA-03-MB-0737 by its driver belonged to the ownership of respondent no.1 as on the date of the accident in which the petitioner sustained grievous & simple injuries as mentioned in Ex.P3 and he had taken treatment at Mahaveer Medical Centre as an inpatient from 06-12-2021 to 15-12-2021. Hence, I proceed to answer Issue No.1 in the **affirmative**.

25. **Issue No.2** :- It is the specific case of the Respondent No.2 that the petitioner and the driver of the offended Car did not possessed valid and effective driving license and fitness as on the date of the accident.

26. Respondent No.2 has not led any oral or the documentary evidence in order to establish that the driver of the offended Car and the petitioner who was the rider of the motor cycle involved in the accident did not possessed

valid and effective driving license at the time of accident. Thus it can be inferred that the Respondent No.3 failed to prove that the the driver of the offended Car bearing Reg.No.KA-03-MB-0737 and the petitioner did not possessed valid and effective driving license and fitness at the time of accident. With all these discussion, I proceed to answer Issue No.2 in the Negative.

27. **Issue no.3:** The petitioner filed this petition and prays to grant Rs.20,00,000/- with interest at the rate of 12% p.a. as compensation with respect of the injuries caused to him in the road traffic accident from the respondents. It has been contended that the respondents are jointly and severally liable to pay the compensation to the petitioner.

28. The claimant has produced cogent and convincing evidence to show that, he has suffered simple & grievous injuries in the Road Traffic Accident which has occurred on 06-12-2021 due to actionable negligence on the part of the driver of the Omni Car bearing Reg. No. KA-03-EB-0737. It is not in dispute that above said vehicle

was insured with the Respondent No.2 and that, the insurance policy in respect of the said vehicle was in force as on the date of the accident.

29. It is pertinent to state that injuries to the petitioner may cause significant physical pain and emotional suffering. The injured may suffer for certain period or permanently. Thus, while awarding compensation, the damages caused due to injuries to be assessed as pecuniary and non-pecuniary damages. The pecuniary damages means and includes amount spent towards medical treatment, expenses towards attendant, transport, actual loss of earning and future loss of earning. The non-pecuniary damages mean and include mental and physical shock, pain and suffering and loss of amenities. As such, the petitioner is entitled for compensation under the following heads :

30. **Loss of Future Income:**, In his examination-in-chief, deposed that he sustained grievous injuries such as Tenderness, swelling, bleeding per right nostril, swelling over neck, bleeding per gums, tenderness, swelling over

the region of mandible ® Ramus, Tenderness, swelling over region of mandible (L) Para Symphysis, Tenderness, swelling over Right Thigh, abnormal mobility shortening of right lower limb and other parts of the body, and that he also underwent surgery.

31. Dr. Pradeep Kumar, an Orthopaedic Surgeon working at Mahaveer Medical Centre, Puttur, was examined through the Court Commissioner as CW.1. In his examination-in-chief, CW.1 deposed that the Petitioner was admitted as an inpatient on 06.12.2021. Upon examining the Petitioner, he noted the following injuries: Tenderness, swelling, bleeding per right nostril, swelling over neck, bleeding per gums, tenderness, swelling over the region of mandible ® Ramus, Tenderness, swelling over region of mandible (L) Para Symphysis, Tenderness, swelling over Right Thigh, abnormal mobility shortening of right lower limb. CW.1 testified that injury Nos.1, 2, 4 to 6 are grievous in nature, while the another simple. The Petitioner was discharged from the hospital on 15.12.2021 and later visited the hospital for OPD treatment on

26.08.2022. CW.1 further opined that the Petitioner has suffered 14% permanent disability to the right lower limb. In support of his oral evidence, CW.1 marked documents as Ex.C-1-Disability Certificate, Ex.C-2-Case Sheet and Ex.C-3-Discharge summary.

32. During the course of cross-examination by the Learned counsel for Respondent No.2, CW1 has denied that he has not given any treatment to the petitioner and no injuries as mentioned in Ex.P-3 happened to the Petitioner. Further denied to the suggestion that without examining the petitioner he has issued disability certificate and further treatment is not required to the petitioner .

33. Considering the evidence of CW.1, it is evident that the Petitioner sustained grievous as well as simple injuries. This is further corroborated by the Ex.P.3 wound certificate and disability certificate. CW1, being the Doctor who treated the Petitioner, has clearly deposed that the Petitioner has sustained permanent physical disability to the right lower limb at 14%. Though the Learned counsel for Respondent No.2 has cross-examined CW1 at length,

nothing has been elicited to discredit his testimony or to show that the Petitioner has not sustained the said disability. The suggestion that the disability has been exaggerated has been denied by PW2.

34. Therefore, by considering the oral evidence of CW1 and the Wound Certificate marked as Ex.P3 and disability certificate marked as per Ex.P-9, this Court is of the considered opinion that the Petitioner has sustained 14% permanent physical disability to the right lower limb. For the purpose of assessing compensation, the disability of a particular limb has to be converted into whole body disability. Generally, $1/3^{\text{rd}}$ of the limb disability is taken as whole body disability. Accordingly: $14\% \div 3 = 4.66\%$, which can be reasonably rounded off to 5% whole body disability. Hence, this Court holds that the Petitioner has sustained 5% permanent disability to the whole body.

35. It is stated that the Petitioner was working as a Employee in private firms at the time of the accident. However, the Petitioner has not produced any documentary evidence to substantiate his avocation or to

establish his actual income from the said profession. In the absence of such proof, as such his income has to be assessed as per the provisions of the Minimum Wages Act under the head of Employment in Agricultural and other related works.

36. Hon'ble High Court of Karnataka in **Miscellaneous First Appeal No.7404 of 2014 (MV-D) between Smt.Mariyamma & others V/s Sri.Suyambulingam.V & another**, dated 06.12.2022 has held as under :

“33. Coming to the question whether the guidelines issued by the Legal Services Authority can be considered or not, it is pertinent to note that the guidelines, a copy of which is made available to this court, by and large are on the same lines as fixed under the Minimum Wages Act, for settlement of the cases before the Lok Adalath, which is on the basis of the mutual agreement between the parties, shuts down all the approaches for a re-assessment of the compensation by the appellate Courts. Considering this aspect, a slightly higher wages have been set down as guidelines and we do not see any reason to have any

qualms with the same. However, such guidelines can not take the place of a statutory guideline and therefore, we hold that it would be proper to rely on the wages fixed under the Minimum Wages Act and the Tribunal has to consider the minimum wages prescribed under the Minimum Wages Act, as a guideline and assess whether the deceased was a skilled or unskilled labourer. The range of a highly skilled labourer and unskilled labourer could be considered by the Tribunals, if there is no other proof of income. We hasten to add that the notional income cannot be adopted, with precision, as prescribed under the Minimum Wages Act also, but it acts as beacon only.”

37. From the reading of the above said decision, in absence of any material to prove income, the income of the petitioner should be fixed as per minimum wages. The accident is occurred on 06-12-2021. As discussed above the income of the petitioner has to be assessed with respect to the Employment in Agricultural and other related works are concerned. The minimum wages and

VDA for the Agricultural and other related works for an employee for the year 01/04/2021 to 31/03/2022 is fixed at Rs.11,473.16/- per month. In view of the ratio laid down in the above mentioned decision, the income of the injured as per the minimum wages referred above is considered as Rs.11,473.16/- and the same is rounded off to Rs.11,473/- per month.

38. According to Ex.P.3 (wound certificate), the age of the Petitioner is shown as 29 years on the date of the accident. Ex.P.11 (charge sheet) record, the age of the petitioner is mentioned as 29. Respondent No.2 has not disputed these documents relating to the age of the Petitioner. Considering these documents, this Court determines the Petitioner's age to be 29 years at the time of the accident. The multiplier applicable, as per the decision of the Hon'ble Supreme Court of India in *Sarla Verma v. Delhi Transport Corporation*, (2009) 6 SCC 121, is 17. The Petitioner's income is assessed at Rs.11,473/- per month, with a functional disability of 5% to the whole body. The future loss of income is calculated as

follows: Monthly loss of income: $11,473/100 \times 5\% = 573.65/-$ which is rounded off to Rs. 574/-, Annual loss of income: $574 \times 12 = 6888/-$, Future loss of income: Rs. 6888×17 (multiplier) = Rs.1,17,096/-. Therefore, the Petitioner's future loss of income is determined to be Rs.1,17,096/-.

39. **Pain and suffering** :- As per the wound certificate claimant has suffered Tenderness, swelling, bleeding per right nostril, swelling over neck, bleeding per gums, tenderness, swelling over the region of mandible ® Ramus, Tenderness, swelling over region of mandible (L) Para Symphysis, Tenderness, swelling over Right Thigh, abnormal mobility shortening of right lower limb. Out of the said injuries, five injuries are grievous in nature and another injury is simple in nature, further he has taken treatment in the Mahaveer Medical Centre, Puttur, for ten day as in-patient from 06-12-2021 to 15-12-2021. Though, PW-1 has been cross examined at length, the said fact has not been disputed. In such circumstances, considering the nature of injuries suffered and the period

of treatment taken, the Tribunal is inclined to award a sum of Rs.25,000/- towards the grievous injuries and Rs.1,000/- with respect of the simple injury and in total petitioner is entitled for Rs.26,000/- under the head pain and suffering.

40. **Towards attendant charges, transportation and miscellaneous expenses:** It appears from the discharge summary/Ex.P-3 that, the petitioner has sustained injuries as mentioned above and has been treated in the Mahaveer Medical Centre, Puttur, for ten days as in-patient. In such situation, necessarily one person must have attended him in the hospital. If it is assumed that the petitioner spent Rs.1,000/- per day towards food, attendant and conveyance charges, the petitioner is entitled for Rs.10,000/-. Therefore, having regarding to the fact and circumstances of the case I am of the opinion that it is fit case to award Rs.10,000/- to the petitioner towards attendant charges, transportation and miscellaneous expenses.

41. **Loss of amenities and nutritional food:** The

petitioner due to injuries has lost amenities and enjoyment of life. Thus, he might have been forced to incur amount towards amenities and nutritional food. Considering the nature of injuries sustained, it would be just and reasonable to award an amount of Rs.10,000/- towards loss of amenities and nutritional food.

42. **Medical expenses** :- The petitioner has produced medical bills marked together as Ex.P-12 to the tune of Rs.1,36,059.36 /-. Though PW-1 has been cross examined at length, there is no proof provided to prove that the bills are concocted/fabricated. Thus, petitioner is entitled for an amount of Rs.1,36,059.36 /- which is rounded off to Rs.1,36,059/- spent towards medical expenses.

43. **Loss of income during the treatment period** :

Considering the fact that, the petitioner sustained one simple injury and five grievous injuries, this Court opines that at least the petitioner taken two months bed rest with respect to get heal the injuries caused to him in the road traffic accident, hence petitioner is entitled for Rs.22,946/- as an compensation amount under the

head of loss of income during treatment period.

44. **Disappointment, Discomfort and Frustration :**

The petitioner has met with an accident at the age of 29 years. On account of accident, petitioner might have suffered some sort of disappointment, discomfort etc. In the light of the above, I am of the considered view that the petitioner is entitled for compensation of Rs.10,000/- towards the above head.

45. **Future Medical Expenses :-** Petitioner sought for Rs.2,00,000/- towards the future medical expenses. Cw-1 the doctor who treated the petitioner deposed that petitioner requires revision surgery and cost of the surgery will be approximately Rs.70,000/-. Counsel for the Respondent No.2 suggested to the Cw-1 that the petitioner is not required with an revision surgery and Rs.70,000/- is not required for the petitioner to that said surgery to which Cw-1 denied. Petitioner by adducing the evidence of Cw-1, established that he is in need of future medical treatment to the injuries caused to him in the road traffic accident, as such this Court opines that petitioner is

entitled for Rs.70,000/- compensation under the head future medical expenses.

46. In view of above discussion, the petitioner in total is entitled for compensation under following heads:

Head of compensation	Amount
1. Loss of future Income:	Rs.1,17,096=00
2. Pain and sufferings	Rs.26,000=00
3.Attendants charges, transportation, miscellaneous expenses.	Rs.10,000=00
4. Amenities and Nutritional Food:	Rs.10,000=00
5. Medical expenses:	Rs.1,36,059=00
6. Loss of income during treatment period:	Rs.22,946=00
7. Disappointment, Discomfort and Frustration:	Rs.10,000=00
8. Future Medical Expenses	Rs.70,000=00
Grand Total	Rs.4,02,101/- (Rupees Four Lakh Two Thousand One Hundred One only)

47. **Liability** : The petitioner is entitled for the compensation and the quantum is fixed, the liability has to be fixed. The counsel for the respondent No.2 submits their argument that, the insurance policy to the offended vehicle was inforce as on the date of the accident and the same was insured with their company.

48. Respondent No.2 has not proved regarding violation of policy conditions by the owner of the offended vehicle, as such, it is concluded that there was valid policy covering the risk of offending vehicle, hence the respondent No.2 is liable to indemnify the respondent No.1. In such eventuality, the respondent No.1 being owner and respondent No.2 being insurer of offending vehicle are jointly and severally liable to pay compensation. Therefore, the respondent No.2 is liable to pay compensation of to the petitioner.

49. Rate of Interest: The petitioner being the injured has claimed the compensation together with interest at the rate of 12% p.a. from the date of accident till the

realization of claim together with the costs of the petition.

50. The Hon'ble High Court of Karnataka in a decision MFA No.4103/2017, in between The Manager, Reliance General Insurance Co. Ltd., V/s Smt. Vanajakshi, dated 18-03-2020, held that the nationalized banks are now granting interest at the rate of 6% per annum from the date of claim made by the petitioner till the date of deposit of the amount will meet the ends of justice and equity.

51. By taking note of the ratio laid down by the Hon'ble High Court of Karnataka in the above said decision, this Court opines that, if the interest at the rate of 6% p.a. is awarded on the compensation amount to the petitioner instead of 12% p.a. as claimed by him it would be proper and justifiable. Hence the claimant is entitled for a total compensation of along with interest at the rate of 6% p.a from the filing of this petition till its realization. Therefore, Issue No.3 answered Partly in the Affirmative.

52. **Issue No.4** :- Having answered Issues No.1 to 3, I proceed to pass the following;;

ORDERS

The petition filed by the petitioner, under Section 166 of the Motor Vehicles Act is allowed in part with costs.

The petitioner is entitled to compensation of Rs.4,02,101/- (Rupees Four Lakh Two Thousand One Hundred One only) along with interest at the rate of 6% p.a. (excluding future medical expenses) from the date of petition, till the date of realization.

The respondent No.1 and 2 are jointly and severally liable to pay above compensation amount to the petitioner. However in view of the policy is in force, being insurer Respondent No.2 Insurance company is directed to deposit the above said compensation amount in this tribunal within one Month from the date of this order.

After deposit of the compensation amount by the Respondent No.2, 50% of it shall be deposited in the fixed deposit in the name of petitioner in any of the nationalized bank of his choice for a period of 03 years with a liberty to withdraw the

interest periodically.

The Bank shall not grant any loan over the fixed deposit. It shall release the entire amount along with interest if any after maturity taking original bond and on proper identification, without insisting for further order from the court.

The remaining 50% of the compensation amount shall be released in favour of claimant directly to his bank account details if furnished by the claimant on proper identification, without seeking further order.

The advocate fee is fixed at Rs.1,000/-.

Draw award accordingly.

(Dictated to the stenographer directly on computer, typed by her and the same is corrected and then pronounced by me in the open court on this 29th day of June, 2026)

[Devaraj Y.H.]
I ADDL. SR. CIVIL JUDGE & JMFC.,
PUTTUR

: ANNEXURE :

LIST OF WITNESSES EXAMINED FOR THE PETITIONER:

PW1 : Rakshith G. N.

LIST OF DOCUMENTS EXHIBITED FOR THE PETITIONER:

Ex.P.1 : True copy of the FIR
Ex.P.2 : True copy of the Complaint
Ex.P.3 : True copy of the wound

LIST OF WITNESSES EXAMINED THROUGH COURT COMMISSIONER:

LIST OF DOCUMENTS PRODUCED THROUGH COURT COMMISSIONER:

LIST OF WITNESSES EXAMINED FOR THE RESPONDENTS:

LIST OF DOCUMENTS EXHIBITED FOR THE RESPONDENTS:

[Devaraj Y.H.]
I ADDL. SR. CIVIL JUDGE & JMFC.,
PUTTUR