

KADW200021472024



IN THE COURT OF THE I ADDL. SENIOR CIVIL
JUDGE AND ADDL. M.A.C.T., HUBBALLI.

Present:
SMT. SARVAMANGALA K.M.,
B.A. LL.B.,
I Addl. Senior Civil Judge & Addl.
MACT, Hubballi.

Dated this the 18th day of July, 2026

M.V.C. No.413/2024 C/w M.V.C. No.410/2024

PARTIES IN M.V.C. No.413/2024:

PETITIONER Akash S/o Sangappa
Udagatti, Age:34 years,
Occ:Government Service,
R/o.Ward No.1, Tipu Nagar,
Badami, Tq:Badami,
Dist:Bagalkot.
(By Sri. G.P. Koliwad, Advocate)

PARTIES IN M.V.C. No.410/2024:

PETITIONER : Chetan S/o Shyamsundar
Honnalli, Age:33 years,
Occ:Private Work, R/o.Ward



No.5, Vidyanagar, Badami,
Tq:Badami, Dist:Bagalkot.

(By Sri. G.P. Koliwad,
Advocate)

V/s

COMMON RESPONDENTS IN BOTH CASES:

- RESPONDENTS :** 1. Raghavendra S/o Shivappa
Koli, Age:40 years,
Occ:Business, R/o.Maruti
Nagar, Guledagudda,
Tq:Badami, Dist:Bagalkot.
2. The Legal Manager,
Universal Sompo GEN INS
Co. Ltd.
2nd Floor, 84 Ramson
Complex, P B Road, Hosur,
Hubballi.
- Policy
No.2311/70654576/00/000
valid from 09.07.2023 to
08.07.2024.

(R-1-Exparte
R-2 by Sri. M.Y. Appannavar, Adv.,)

COMMON JUDGMENT

The petition in MVC No.410/2024 is filed by the
petitioner/Chetan U/Sec.166 of Motor Vehicles Act,



claiming compensation of Rs.30,00,000/- together with costs and interest for the injuries sustained by him in the road traffic accident.

The petition in MVC No.413/2024 is filed by the petitioner/Akash U/Sec.166 of Motor Vehicles Act, claiming compensation of Rs.4,00,000/- together with costs and interest for the injuries sustained by him in the road traffic accident.

2. The brief facts of cases of petitioners in both the cases are that, on 30.01.2024, at about 6.00 p.m., when the petitioner/Chetan was riding his motorcycle bearing Reg. No.KA-29-EC-7871 from Badami towards Guledagudda alongwith his friend i.e., Akash (petitioner in MVC No.413/2024) as a pillion rider and when they are passing in Hamasanura bus stand on Badaami – Guledagudda road, at that time, a car bearing its Reg. No.KA-28-N-9843 driven by its driver coming from Badami



towards Guldedagudda in a high speed, rash and negligent manner and lost the control over the vehicle and dashed to the petitioners motorcycle. As a result of which, petitioners fell down and sustained grievous injuries. Thereafter the petitioners were shifted to Dr.Guled Multispeciality Hospital, Bagalkote for treatment.

The petitioner/Chetan got admitted in the said hospital as indoor patient for one month and spent more than Rs.6,00,000/- for his medical expenses. The petitioner/Akash got admitted in the said hospital for a period of one week and spent more than Rs.50,000/- towards his medical expenses.

Prior to accident the petitioner/Chetan was hale and healthy and doing work in private complaint and earning Rs.30,000/- per month and contributing entire income to the family. Due to the said accident, the Petitioner/Chetan is now unable to do any work.



Prior to accident the petitioner/Akash was hale and healthy and doing work in Government department and earning Rs.40,000/- per month and contributing entire income to the family. Due to the said accident, the Petitioner/Akash is now unable to do any work.

The accident was occurred due to rash and negligent driving of car bearing Reg. No.KA-28-N-9843. The Respondent No.1 is the owner of the said car and he has insured his vehicle with Respondent No.2 and as on the date of accident, the policy is in force. Hence, they are held liable to pay the compensation to the Petitioners.

After the accident the PSI Guledagudda police, has registered the criminal case against the driver of the Car bearing Reg. No.KA-28-N-9843 for the offences U/s.279, 337 and 338 of IPC, thereafter after the investigation, Investigating Officer has filed



charge sheet against the said driver. Thereafter the petitioners have filed the petitions claiming compensation.

3. After service of notice, the respondents have appeared through their respective Counsels and filed their respective objections.

3.01. The respondent No.1 in his objection has clearly admitted that he is the owner of the car bearing Reg. No.KA-28-N-9843 and contended that the accident was not occurred due to rash and negligent act of driver of the said car. The accident was occurred due to rash and negligent riding of the petitioners. Further denied the age and income of the petitioners. Further contended that as on the date of accident, the driver is having valid and effective driving license and contended that he has insured his said vehicle with respondent No.2 and as on the date of accident policy is in force. If the Court comes to the



conclusion that the petitioners are entitle for any compensation, the same may be fasten against the respondent No.2 and prays to dismiss the petitions against respondent No.1.

3.02. The respondent No.2 in his objections has denied the entire Complaint averments and specifically contended that the respondent No.1 is the owner of the said car and he has insured his vehicle with respondent No.2 and as on the date of accident policy is in force. Further contended that as on the date of accident the driver of the said car was not having valid and effective driving license to drive the said car. Knowing fully well that the said driver was not having valid and effective driving license, the respondent No.1 has handed over the said vehicle to the driver and violated the terms and conditions of the policy. Hence, respondent No.2 is not liable to pay the compensation to the petitioners. The accident



was occurred due to rash and negligent act of petitioners. Further denied the age and income of the petitioners. Further contended that the compensation claimed by the Petitioners are highly exorbitant, without any basis. Hence, prays to dismiss the Petition.

4. On the basis of the above pleadings of the parties this court has framed the following:-

ISSUES in MVC No.410/2024

1) Whether the Petitioner proves that he has sustained Grievous Injuries in a Road Traffic Accident which occurred on 30.01.2024 at about 6.00 p.m., at Hamasanura Bus Stand, near Badami – Guledgudda Road Tq., Badami due to negligence of the driving of the Car bearing Reg. No.KA-28-N-9843 as alleged ?

2) Whether the Respondent No.2 proves that the driver of the offending vehicle did not possess valid and effective DL as on the date of accident ?



3) *Whether the Petitioner is entitled for the compensation as prayed for ? If yes, what is the quantum and who is liable to pay ?*

4) *What Order or Award ?*

ISSUES IN MVC No.413/2024

1) *Whether the Petitioner proves that he has sustained Grievous Injuries in a Road Traffic Accident which occurred on 30.01.2024 at about 6.00 p.m., at Hamasanura Bus Stand, near Badami – Guledgudda Road Tq., Badami due to negligence of the driving of the Car bearing Reg. No.KA-28-N-9843 as alleged ?*

2) *Whether the Respondent No.2 proves that the driver of the offending vehicle did not possess valid and effective DL as on the date of accident?*

3) *Whether the Petitioner is entitled for the compensation as prayed for ? If yes, what is the quantum and who is liable to pay ?*

4) *What Order or Award ?*



5. In order to prove the case, the Petitioner/ Chetan has been examined as PW1, and got marked documents at Ex.P.1 to P8 and closed his side evidence. The Petitioner/Akash has been examined as PW2, and got marked documents at Ex.P9 to Ex.P14 and closed his side evidence. Dr.Uday Kumar Guled has been examined through Court Commissioner.

6. Heard the arguments, perused the material on record, on that basis my findings on the above issues in both the cases are as under:-

IN MVC No.410/2024

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

**IN MVC No.413/2024**

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

REASONS

7. **Issue No.1 in MVC No.410/2024 and 413/2024:-** The 1st issue is regarding the proving of the occurrence of accident as claimed in the petition due to rash and negligent act of driver of the car bearing Reg. No.KA-28-N-9843.

8. The case of petitioners is that on 30.01.2024, at about 6.00 p.m., when the petitioner/Chetan was riding his motorcycle bearing Reg. No.KA-29-EC-7871 from Badami towards Guledagudda along with his friend i.e., Akash (petitioner in MVC No.413/2024) as a pillion rider and when they are passing in Hamasanura bus stand on Badaami – Guledagudda



road, at that time, a car bearing its Reg. No.KA-28-N-9843 driven by its driver coming from Badami towards Guldedagudda in a high speed, rash and negligent manner and lost the control over the vehicle and dashed to the petitioners motorcycle. As a result of which, petitioners fell down and sustained grievous injuries. Thereafter the petitioners were shifted to Dr.Guled Multispeciality Hospital, Bagalkote for treatment.

The petitioner/Chetan got admitted in the said hospital as indoor patient for one month and spent more than Rs.6,00,000/- for his medical expenses. The petitioner/Akash got admitted in the said hospital for a period of one week and spent more than Rs.50,000/- towards his medical expenses.

Prior to accident the petitioner/Chetan was hale and healthy and doing work in private complaint and earning Rs.30,000/- per month and contributing



entire income to the family. Due to the said accident, the Petitioner/ Chetan is now unable to do any work.

Prior to accident the petitioner/Akash was hale and healthy and doing work in Government department and earning Rs.40,000/- per month and contributing entire income to the family. Due to the said accident, the Petitioner/Akash is now unable to do any work.

The accident was occurred due to rash and negligent driving of car bearing Reg. No.KA-28-N-9843. The Respondent No.1 is the owner of the said car and he has insured his vehicle with Respondent No.2 and as on the date of accident, the policy is in force.

9. On the other hand, the respondent No.1 has contended that he is the owner of the car bearing Reg. No.KA-28-N-9843. The accident was not occurred due to rash and negligent act of driver of the



said car. The accident was occurred due to rash and negligent riding of the petitioners. As on the date of accident, the driver of the said car is having valid and effective driving license and he has insured his said vehicle with respondent No.2 and as on the date of accident policy is in force. If the Court comes to the conclusion that the petitioners are entitle for any compensation, the same may be fasten against the respondent No.2.

10. On the other hand the respondent No.2 has contended that the respondent No.1 is the owner of the said car and he has insured his vehicle with respondent No.2 and as on the date of accident policy is in force; that as on the date of accident the driver of the said car was not having valid and effective driving license to drive the said car, knowing fully well that the said driver was not having valid and effective driving license, the respondent No.1 has



handed over the said vehicle to the driver and violated the terms and conditions of the policy. Hence, respondent No.2 is not liable to pay the compensation to the petitioners. The accident was occurred due to rash and negligent act of petitioners. Further contended that the compensation claimed by the Petitioners are highly exorbitant, without any basis.

11. In order prove the case of the petitioners in both the cases, the Petitioner/Chetan examined himself as P.W.1 by filing evidence affidavit wherein he stated in consonance with petition case and also got marked documents at Ex.P-1 to P8. The PW-1 has produced Ex.P-1 certified copy of the FIR, wherein it can be seen that Guledagudda PS has filed a case at Crime No.11/2024 against the driver of the car i.e., Ananda for the offences punishable U/Secs 279, 337 and 338 of IPC; Ex.P2 is the Complaint, Ex.P3 is the



crime details form, Ex.P4 is the IMV Report, wherein it can be seen that the accident was not occurred due to mechanical defect of the vehicles, Ex.P5 is the medico legal certificate of PW1/Chetan, wherein it can be seen that the petitioner/Chetan has sustained injuries like (i) swelling over left side of head and left ear bleeding, (ii) abrasion 3 x 4 cms over forehead, (iii) laceration 3 cms X 0.5 cms, (iv) right arm pain, swelling and deformity, (v) right forearm pain, swelling and deformity, (vi) right thigh pain, swelling abnormal movements, (vii) left leg pain swelling. The Doctor has opined that the injury No.1, 3, 4, 5, 6 and 7 are grievous in nature and injury No.2 is simple in nature. Ex.P6 is the charge sheet, wherein it can be seen that after the investigation, the Investigating Officer has filed charge sheet against the driver of the car (Ananda) for the offences punishable under Sections 338, 337 and 279 IPC; and also against the



petitioner/Chetan for the offence punishable under Section 146 r/w 196 IMV Act for not having insurance for his motorcycle. Ex.P7 is the disability certificate issued by Dr.Udaykumar Guled to the petitioner/Chetan, wherein the said Doctor has assessed the disability of 32% to right lower limb. Ex.P8 is the 108 medical bills to the tune of Rs.4,73,118/-.

On careful perusal of the documents more specifically Ex.P1 to Ex.P6, wherein it can be clearly goes to show that the accident was occurred due to rash and negligent act of driver of the car. Further the Chargesheet/Ex.P6, clearly goes to show that the accident was occurred due to rash and negligent act of driver of the car. On the other hand, the Respondents have not challenged the police papers.

Hence, I answer issue No.1 in both the cases in “Affirmative”.



12. **Issue No.2 in MVC No.410/2024 and 413/2024:** *The Learned Counsel for Respondent No.2 has taken specific contention that the Respondent No.1 being the owner of the car knowing fully well that the driver of the car was not having valid and driving license has allowed him to drive the vehicle and caused the accident.*

Though the Respondent No.2 has taken such contention, he has not produced any document before the Court to substantiate the said contention. On careful perusal of the Chargesheet/Ex.P6, it clearly goes to show that the Investigating Officer has filed the Chargesheet against the driver of the car i.e., Ananda for the offences punishable under Sections 279, 337 and 338 of IPC. If really the said driver was not having valid and effective driving license, the Investigating Officer would have definitely included Sec 181 of IMV Act. But, in the charge sheet the said



*section is absent. Hence, it can be clearly come to the conclusion that as on the date of accident, the driver of the car was having valid and effective driving license to drive the vehicle. Hence, I am constrained to answer **Issue No.2 in both the cases in the Negative.***

*13. **Issue No.3 in MVC No.410/2024:** This issue is regarding petitioner's entitlement for compensation as claimed in the petition. In the petition the age of the petitioner is mentioned as 33 years. But to prove the same, the Petitioner has not produced any document before the Court. Hence, the age mentioned in the wound certificate/medico legal certificate is taken into consideration. The age mentioned in the said document is 31 years. As the Respondents have not denied the age of the Petitioner, the same is taken into consideration for the purpose to ascertaining the compensation.*



14. Further it is the specific case of the Petitioner that after the accident, he has sustained Grievous Injuries i.e., (i) swelling over left side of head and left ear bleeding, (ii) abrasion 3 x 4 cms over forehead, (iii) laceration 3 cms X 0.5 cms, (iv) right arm pain, swelling and deformity, (v) right forearm pain, swelling and deformity, (vi) right thigh pain, swelling abnormal movements, (vii) left leg pain swelling. As per said document, the injury Nos.1, 3 to 7 are grievous in nature and injury no.2 is simple in nature.

Further in this case the petitioner stated in his petition that prior to the accident he was hale and healthy and was working in private company and earning Rs.30,000/- per month. But to prove the same, the petitioner has not produced any document before the Court. Hence, in the absence of such material, the income of the petitioner is to be fixed notionally. It is pertinent to state here that, the



*Hon'ble Karnataka State Legal Service Authority prepared chart of notional income. At this juncture, it is profitable to refer Division Bench decision of Hon'ble High Court of Karnataka reported in **2017 ACJ 2436, (Krishnabai and others Vs Fedex Express Transportation and supply chain services (India) Pvt., Ltd., and another**, wherein at paragraphs No.11 it is held as under:*

“Repeatedly it has come to the notice of this court that, while this court has framed a chart or taking the notional income of the injured/deceased, the said chart is not been followed by the learned Tribunal. As mentioned in the case of Iqbalahamed Vs Vice Chairman, M/S Patel integrated Logistics Ltd., and another (MFA No.101018/2015 decided on 06.01.2017), the consequences of not following the chart by the learned Tribunal is that in variably the claimants approach this court with the plea that the income of the injured/deceased has not been assessed properly by the learned Tribunal. Considering the fact that, the chart prepared by this court has been followed by this court in its judgment, considering the fact that, a judgment of this court is binding on the



learned tribunals, the learned tribunals are also duty bound to follow the chart prepared by this court.

*15. The said preposition of law has also been reiterated by Hon'ble High Court of Karnataka in another decision reported in **2018 SCC ONLINE KAR 2862, (LEGAL MANAGER IFFCO TOKIO GIC LTD., VS SRINIVASA AND OTHERS)**. Wherein at paragraph 6 it is held as under;*

“6. However, the court cannot ignore the notional income chart of the lok-adalath when there is no material evidence to prove the actual income. Going by the said chart for the accident year 2012, the notional income of the deceased ought to have been taken at Rs.7,000/-. Therefore, the notional monthly income stands upwardly altered from Rs.5,000 to Rs.7,000/-.

16. In this case also, on perusal of the record it shows that the injured was aged about 31 years and the accident was taken place in the year 2024. Hence, by considering the fact that there is no proof of income, by relying upon the guidelines issued by



the Hon'ble KSLSA, this Tribunal is of the opinion that notional income of the injured could be assessed at Rs.17,000/- per month. In view of the above, this Tribunal is of the view that the petitioner who sustained the injuries is entitled for compensation under the following heads:

17. Loss of Future Income on account of permanent Disability:- *The doctor by name Dr. Uday Kumar Guled who has issued disability certificate/Ex.P7 to the petitioner has been examined through Court commissioner. The doctor deposed in his evidence that, petitioner was met with a road traffic accident. On his physical examination, the petitioner is having 32% permanent physical disability to right lower limb.*

During the course of cross-examination, said Doctor has stated that at the time of discharge, the petitioner was fit and he was recovered and the



fractures are united. Further admitted that the disability is given only to part of particular body. As the Doctor has not assessed the disability to whole body of the petitioner, if 1/3rd of the above calculation is calculated, it would come to the whole body and it is just and proper to assess. Hence, if 1/3 of disability is calculated, it comes to '10'.

*18. Further in this case the petitioner is aged about 34 years and the multiplier applicable to the petitioner as per decision laid down by Hon'ble Apex Court in **Sarala Verma's** case is at 16. The income taken as Rs.17,000/- x 12 x 16 x 10/100= Rs.3,26,400/-. Hence, the petitioner is entitled for compensation of Rs.3,26,400/ towards loss of Future Income.*

*19. **Pain and suffering:-** The petitioner has sustained the grievous injuries in the accident. In the wound certificate also it clearly mentioned that the*



petitioner sustained grievous injuries and he has taken treatment as in patient in the Guled Multispeciality hospital, Bagalkot. Having regard to the nature of injuries and also by considering the age of the petitioner it is just and proper to award Rs.5,000/- towards pain and suffering.

20. Loss of income during laid up period:-

The petitioner has stated in his petition that prior to the accident he was hale and healthy and he was earning of Rs.30,000/- in private company and due to accident he was unable to work and he requires follow up treatment. Hence, prays to award compensation for the said period. On perusal of documents, it shows that he is taking follow up treatment. Hence, by considering the nature of the injuries sustained by the petitioner it is just and proper to award Rs.5,000/- towards loss of income during laid up period.



21. **Loss of amenities:-** *It is stated in the petition that the petitioner was aged about 31 years and due to the injuries the petitioner is not able to do his day today work. By considering the nature of injuries sustained by the petitioner it would be proper to award compensation of Rs.5,000/- towards loss of amenities.*

22. **Attendant charges, diet, nourishment and conveyance etc.:-** *In this case on perusal of the entire record and medical documents, it shows that petitioner was taken treatment as in patient in the hospital and at that time there must be one person to look after him and the petitioner might have spent the money for his extra diet and conveyance. By considering the facts and circumstances of the case, it is proper to award compensation of Rs.5,000/- towards attendant charges and extra diet and nourishment.*



23. **Medical Expenses:-** The petitioner has produced 108 medical bills to the tune of **Rs.4,73,118/-** as per Ex.P8. But the petitioner has not produced any prescriptions regarding medical bills pertains to medical store. So far as, General Medical bills is concerned the prescriptions to the above said medicines are required. But, on careful perusal of the 64 bills issued by the General Medical have not accompanied prescriptions by the authorized medical officer. Therefore, said bills cannot be taken into consideration. Anyhow, on seeing the medical bills produced by the petitioner and the nature of the injuries sustained by him and expenditure for follow up treatment, in the absence of prescriptions, it would be better to award some amount towards medical expenses. Hence, this Court is of the view that if an amount of Rs.2,91,640/- is awarded the petitioner towards



medical expenses, it would meets and ends of justice.

Hence, an amount of Rs.2,91,640/- is awarded towards medical expenses.

24. Thus the compensation awarded under various heads are as follows:

<i>Sl. No.</i>	<i>Particulars</i>	<i>Amount</i>
<i>1.</i>	<i>Loss of Future Income on account of permanent Disability</i>	<i>Rs.3,26,400/-</i>
<i>2.</i>	<i>Pain and suffering</i>	<i>Rs.5,000-00</i>
<i>3.</i>	<i>Loss of income during laid up period</i>	<i>Rs.5,000-00</i>
<i>4.</i>	<i>Loss of amenities</i>	<i>Rs.5,000-00</i>
<i>5.</i>	<i>Attendant charges, diet, nourishment and conveyance</i>	<i>Rs.5,000-00</i>
<i>6.</i>	<i>Medical expenses</i>	<i>Rs.2,91,640/-</i>
	<i>T O T A L</i>	<i>Rs.6,38,040/-</i>

*25. **INTEREST:** As per the judgment in the case of **Sarala Verma and others V/s Delhi Transport***



Corporation (2009) 6 SCC 121, it is just and proper to award interest at the rate of 6% p.a. on the compensation awarded from the date of filing of the claim petition till realization.

26. **Issue No.3 in MVC No.413/2024:** This issue is regarding petitioner's entitlement for compensation as claimed in the petition. In the petition the age of the petitioner is mentioned as 34 years. But to prove the same, the Petitioner has not produced any document before the Court. Hence, the age mentioned in the medical legal certificate/Ex.P9 is taken into consideration. The age mentioned in the medico legal certificate/Ex.P9 is 31 years. As the Respondents have not denied the age of the Petitioner, the same is taken into consideration for the purpose to ascertaining the compensation.

27. Further in this case the petitioner stated in his petition that prior to the accident he was hale and



healthy, he was doing Government work and earning Rs.40,000/- per month. Though the Petitioner has contended so, he has not produced any piece of evidence before the Court to show his income.

Further it is the specific case of the Petitioner that after the accident, the has sustained Grievous Injuries i.e., pain and tenderness, laceration 5 x 1 cms, abrasion 2 x 3 cms, pain and tenderness. In order to prove the same, he has not produced any disability certificate nor examined any Doctor who treated him. In the absence of said ocular and documentary evidence, the disability of the Petitioner cannot be considered. But, anyhow, as per the Ex.P9 it can be seen that the petitioner has suffered one grievous injury and 3 simple injury. Hence, petitioner is entitle for Rs.25,000/- (Rs.10,000/- for grievous injury and Rs.5,000/- each for simple injuries). Further the petitioner has produced 9



Medical bills at Ex.P11 to the tune of Rs.9,972/-. In view of the injuries sustained by the petitioner in the road traffic accident, Petitioner is entitle for said amount. Hence, petitioner is entitle for total compensation of Rs.34,972/-.

28. INTEREST: *As per the judgment in the case of Sarala Verma and others V/s Delhi Transport Corporation (2009) 6 SCC 121, it is just and proper to award interest at the rate of 6% p.a. on the compensation awarded from the date of filing of the claim petition till realization. This issue is also with regard to liability. In this case, the Respondent No.2 has admitted that as on the date of accident, the respondent No.1 has obtained policy with respondent No.2 and as on the date of accident same is in force. But it is the specific contention of the respondent No.2 that there exists contributory negligence on the part of petitioner/ Chetan. Since*



the name of petitioner/Chetan is also forthcoming in the charge sheet. But on careful perusal of the charge sheet, it can be seen that the name of petitioner/Chetan is appearing as accused No.2 for the offence punishable under Section 196 of IMV Act.

On the other hand, the petitioner contends that the Investigating Officer has filed the charge sheet against the driver of the car alleging that the driver has committed the alleged offence punishable under Sections 279, 337 and 338 of IPC. There is no negligence on the part of petitioner/Chetan. When the charge sheet clearly discloses that the negligence act of the driver of the car, in the absence of any document before the Court to show that the petitioner/Chetan has driven the vehicle rashly and negligently, this Court is of the opinion that there exists no any contributory negligence on the part of the petitioner/Chetan. The accident was occurred



*due to sole negligence on the part of the driver of the car. Hence, I answer **Issue No.3 in both the cases in the partly Affirmative.***

29. Issue No.4 in MVC No.410/2024 and 413/2024: In view of the above discussion on issue No.1 to 3, I proceed to pass the following :-

ORDER

The petition filed by the petitioner/ Chetan in MVC No.410/2024 U/Sec.166 of MV Act 1989 is partly allowed with costs.

The petitioner is entitled for total compensation of Rs.6,38,040/- (Six Lakhs Thirty Eight Thousand Forty only) with cost and interest at 6% per annum from the date of petition till the date of deposit.

The petition filed by the petitioner/ Akash in MVC No.413/2024 U/Sec.166 of MV Act 1989 is partly allowed with costs.



The petitioner/Akash is entitled for global compensation of Rs.34,972/- (Thirty Four Thousand Nine Hundred and Seventy Two only) with cost and interest at 6% per annum from the date of petition till the date of deposit.

The respondent No.2 is directed to deposit the entire compensation amount in both the cases within 30 days from the date of this award.

Since in this case the compensation awarded to the petitioners is meager amount, hence after deposit, office is directed to release the entire amount in favour of the petitioners through E payment.

Advocate fee is fixed at Rs.1,000/-.

Draw award accordingly.

*(Directly typed and computerized by me in Lap-top and corrected, signed and then pronounced by me in Open Court on this the **18th day of July, 2026**).*

*(Smt. Sarvamangala K.M.)
I Addl. Senior Civil Judge and MACT,
Hubballi.*

**ANNEXURE****1.List of witnesses examined for the Petitioner/s in both cases:**

- P.W.1 : Chetan S/o Shyamsundar Honnalli.
P.W.2 : Akash S/o Sangappa Udagatti.

2.List of documents exhibited for the Petitioner/s in both cases:

- Ex.P.1 : FIR.
Ex.P.2 : Complaint.
Ex.P.3 : Crime Report Form.
Ex.P.4 : IMV Report.
Ex.P.5 : Medico Legal Certificate.
Ex.P.6 : Charge Sheet.
Ex.P.7 : Assessment of Permanent Physical Impairment in upper limb.
Ex.P.8 : Medical Bills.
Ex.P.9 : Medico Legal Certificate.
Ex.P.10 : Laboratory Report.
Ex.P.11 : Medical Bills.
Ex.P.12 : X-ray film.
Ex.P.13 : Discharge Summary.
Ex.P.14 : X-ray film.



3. List of witnesses examined for the respondent/s in both cases:

-NIL-

4. List of documents exhibited for the Respondent/s in both cases:

-NIL-

(Smt. Sarvamangala K.M.)
I Addl. Senior Civil Judge and MACT,
Hubballi.