

A W A R D

**(IN THE COURT OF THE JUDGE, ADDL. SMALL CAUSES AND
MOTOR ACCIDENT CLAIMS TRIBUNAL AT MYSURU).**

M.V.C. No. 706/2024

Petitioner/s	01	Smt. Arpitha W/o Late Rajesh K.K., Aged about 35 years,
	02	Master Nrupathunga R, S/o. Late Rajesh K.K., Aged about 10 years,
	03	Master Mourya R., S/o. Late Rajesh K.K., Aged about 2 years,
	04	Smt. Sharadamma, W/o. Late Krishnegowda, Aged about 64 years, (Since the petitioner No.2 and 3 are minors and they are represented by their natural guardian/mother petitioner No.1) All are residing at #2/18, 2 nd stage, Bogadi, Mysuru city, Mysore.
V/s		
Respondent/s	01	Sri. Shivamurthy S/o. Late Malla Shetty, Aged about 27 years, R/at. Door No.1265, 3 rd cross, Sharadadevi Nagar, Mysuru city. (Driver of the vehicle bearing No.KA-09-HW-2617)

	02	Sri. Nikitha Sarika Gowda, W/o. Venkatesh Aged about 37 years, R/at. Door No.115, 1 st cross, 3 rd main, Niveditha Nagar, Mysuru city.
	03	The New India Assurance Co. Ltd No.927, 6 th main, Kantharaj Urs road, Saraswathipuram, Mysuru. Policy No.71070131190850014289 (Valid From 10.06.2019 to 09.06.2024)

Petition Filed on 01.04.2024

Petition Claim: The petitioner prays this court to pass a judgment and award in favour of the petitioner thereby directing the respondents to pay the compensation amount of Rs. 72,75,000/- along with interest at 12% p.a from the date of petition till the date of realization with costs and grant such other reliefs.

The petition coming on this the **30th day of April 2026** for final disposal before **Smt. PRATHIBHA D.S., B.A., L.L.B., Judge, Addl. Court of Small Causes, Mysuru** in the presence of **Sri.B.S.Nagendra**, advocate for petitioner, **Sri.Vijay Kumar.S** advocate for R-1, advocate for R-2 placed ex-parte, **Sri.B.N.Shashidhara** advocate for R-3.

On contest and by pronouncing the judgment, it is ordered and awarded that the petition is hereby **ALLOWED IN PART** with cost.

It is further ordered and awarded that, the petitioner No.1 to 4 are hereby awarded total compensation amount of Rs.27,49,900/- (Rupees twenty seven lakhs forty nine thousand and nine hundred only) with interest at the rate of 6% p.a. from the date of petition till its entire realization.

It is further ordered and awarded that, the respondent No.3 insurance company is directed to pay the compensation amount to the petitioners and to deposit the compensation awarded within a period of 30 days.

It is further ordered and awarded that, liberty is reserved in favour of the respondent No.3 company to pay the said amount at the first instance and recover the same from respondent No.2/owner of Yamaha motorcycle bearing No.KA-09-HW-2617 in accordance with law.

It is further ordered and awarded that, the compensation amount is hereby apportioned between the petitioner No.1 to 4 in the ratio of 40:25:25:10 respectively.

It is further ordered and awarded that, out of the compensation amount allotted to the share of the petitioner No.1, on being deposited is ordered to release 75% in favour of

the petitioner No.1 as per her apportion on proper identity and verification, remaining 25% shall be deposited in the name of petitioner No.1 in any nationalized or scheduled bank of her choice for a period of two years. The petitioner No.1 shall be entitled to draw the accrued interest on the said deposit.

It is further ordered and awarded that, out of the compensation amount allotted to the share of the petitioner No.2 and 3 being minors, are ordered to be deposited entire amount of their apportion in the name of petitioner No.2 and 3 in any nationalized or scheduled bank of petitioner No.1's choice till they attain majority. Petitioner No.1 shall be entitled to draw accrued interest on the said deposit.

It is further ordered and awarded that, considering the age of the petitioner No.4 there shall be no order for investment. On being deposited ordered to release entire amount of her apportion in favour of the petitioner No.4 on proper identification and verification.

The advocates fee is fixed at Rs.1000/-.

Given under my hand and the seal of this court this the
30th day of April 2026.

Sd/-

Addl. Judge,
Court of Small causes,
MYSURU.

MEMORANDUM OF COSTS INCURRED IN THIS PETITION

	Petitioner/s	Respondent/s
Court Fee on plaint	10-00	-
-do Power	-	-
-do- Application	-	-
Pleader's fee(F.C not Filed)	00-00	-
Service of Process	30-00	-
Total :	40-00	-

Addl. Judge,
Court of Small causes,
MYSURU.