

**BEFORE THE MOTOR ACCIDENTS CLAIMS TRIBUNAL AT MYSURU.**  
**(IN THE COURT OF THE JUDGE, PRL. SMALL CAUSES AND SENIOR**  
**CIVIL JUDGE, MYSURU).**

**M.V.C. No.1003/2023**

**Petitioner/s** : [01] Sri. Basavaraju S/o. Chaluvaiah,  
Age: 39 years, R/at S. Kallahalli village,  
Madduru post, Jayapura hobli,  
Mysuru taluk-571125.

// Vs //

**Respondent/s** : [01] Sri. Suresha S/o. Late Nagendrappa M,  
Age: 46 years, R/at 250/3, Hebbal  
1st stage, Opp. SBI main road, near  
Market, Metagalli, Mysuru-570016.

(Driver cum owner of the car bearing  
No.KA-04/MM-8727)

[02] HDFC ERGO General Insurance Co. Ltd.,  
City Trade Center, B.N. road, opp.  
Suburban bus stand, Mysuru – 570001.

Policy No.2302 2048 5437 4600 001  
valid from 26.08.2022 to 25.08.2023  
(Insurer of the car bearing  
No.KA-04/MM-8727)

**A W A R D**

**Claim:** Petition was filed on 06.06.2023 by the petitioner claiming compensation of Rs.42,80,000/- along with interest at the rate of 12% per annum from the date of petition till the realization with costs and such other reliefs as this Hon'ble Court deems fit to grant under the circumstances of the case, in the interest of justice and equity.

The petition coming on this the 2<sup>nd</sup> day of April 2026 for final disposal before Sri. Afthab K., B.A.L., LL.B., Prl. Judge, Court of Small Causes and Senior Civil Judge and M.A.C.T., Mysuru, in the presence of Sri. K.S. Rajagopal, Advocate for petitioner, Sri. Ravikumar K.S., Advocate for Respondent No.1 and Smt. K.L. Sugandhi, Advocate for Respondent No.2.

On contest and by pronouncing the Judgment, it is ordered and awarded that the claim petitions in MVC No.1003/2023 and MVC No.1004/2023 are allowed in part with costs.

Further, it is ordered and awarded that Petitioner in MVC No.1003/2023 is entitled for compensation of ₹.44,40,800/- (Rupees Forty Four Lakhs Forty Thousand and Eight Hundred only) with interest at the rate of 6 % per annum from the date of petition till its realization including interim compensation if any awarded.

Further, it is ordered and awarded that it is clarified that in MVC.1003/2023, the interest at the rate of 6% per annum shall be payable on ₹.40,95,800/- (Rupees Forty Lakhs Ninety Five Thousand and Eight Hundred only) from the date of petition till its realization including interim compensation if any awarded.

Further, it is ordered and awarded that since the sum of ₹.3,45,000/- (Rupees Three Lakhs Forty Five thousand only) awarded under the head of procurement and installation of prosthetic leg is for future expenses, the same shall not carry any interest.

Further, it is ordered and awarded that the respondents are jointly and severally liable to pay compensation to the petitioner within one month from the date of this judgment.

Further, it is ordered and awarded that the respondent No.2 shall indemnify the respondent No.1 in payment of compensation to the petitioner.

Further, it is ordered and awarded that once the compensation amount is deposited in MVC.1003/2023, out of the total compensation amount, 50% of the award amount shall be deposited in the name of petitioner in MVC.1003/2023 in fixed deposit for a period of three years in any nationalized bank on condition not to withdraw and encumber the deposit in any mode without prior permission of this Tribunal with a direction to the bank to make note on the deposit receipt not to avail any loan or advance and remaining amount shall be paid to the petitioner in MVC.1003/2023; and the balance amount shall be paid to the petitioner in MVC.1003/2023, by following the procedure prescribed in that regard.

Further, it is ordered and awarded that Advocate's fee is fixed at ₹.1,000/-.

Given under my hand and the seal of this Court, this the 2<sup>nd</sup> day of April 2026.

Award signed on:

Prl. Judge,  
Court of Small Causes,  
& M.A.C.T., Mysuru.

**MEMORANDUM OF COSTS INCURRED IN THIS PETITION**

|                           | Petitioner/s<br>Rs. | Respondent/s<br>Rs. |
|---------------------------|---------------------|---------------------|
| Court Fee on Petition     | 10-00               | -                   |
| -do Power                 | -                   | -                   |
| -do- Application          | -                   | -                   |
| Cost on Application       | -                   | -                   |
| Process fee               | 10-00               | -                   |
| Advocate's Fee (FC filed) | 1000-00             | -                   |
| Copying charges           | -                   | -                   |
| Total                     | 1020-00             | -                   |

Prl. Judge,  
Court of Small Causes &  
M.A.C.T., Mysuru.