

AWARD

IN THE COURT OF ADDL. SR. CIVIL JUDGE AND ADDL. MACT.,
UDUPI.

Present: Sri.Santhosh Srivasthava,
B.A, Law,L.L.B.,
Addl. Senior Civil Judge and ADDL.,
MACT., Udupi.

Dated this the 2nd day of July, 2026.

MVC No.83/2021

PETITIONERS:

1. Smt. Deepa Devendra Kotian,
Aged about 35 years,
W/o.Late Devendra Kotian,
2. Kanishka Kotian (minor),
Aged about 10 years,
D/o. Late Devendra Kotian,
2nd petitioner is minor by age,
Rep. By N/F guardian/mother
1st Petitioner.
3. Smt. Kusuma,
Aged about 60 years,
D/o. Monappa,
W/o. Aithappa,

All are R/o H.No. 4-112,
Pancharathna Kotian Nivas,
Paduhithlu, Nadsal Village,
Padubidri, Kaup Taluk,
Udupi District- 574 111.

(Rep. by Sri.S.A.,Advocate)
V/s.

RESPONDENTS:

1. Mr. Deepak S,
Aged about 42 years,

S/o.Shekar Poojari,
R/o H. No. 7-107-B, Pakkalu,
Perdoor Post and Village,
Udupi District.

2. The Divisional Manager,
United India Insurance Co.Ltd.,
Divisional Office, Jewel Plaza,
1st Floor, Maruthi Veethika,
Udupi-576 101.
3. Mr. Jagadeesha Rathod,
S/o.Late Lataf Rathod,
R/at Naganihala Tanda,
Muddebihala Taluk, Vijayapur,
4. Abdul Jaleel,
S/o.Abdul Rahiman,
D. No 19-89A 6021,
K S Rao Nagar, Mulki Village,
Mangaluru City, Karnataka.

(R1,R4 : Exparte)

(R2 : Rep.by Sri.D.B.S.,Advocate)

(R3 : Rep. By Sri.S.S.M., Advocate)

Petition was presented on 22-01-2021 and registered on 08-02-2021.

Petition filed under Sec.163(A) of the M. V. Act. 1988,as amended by Act 54 of 1994 by the petitioners to claim a sum of ₹.21,03,000/-being the compensation by the petitioner for the Death caused in a motor vehicle accident alleged to have been caused due to the rash and negligent driving of the motor cycle bearing Regd. No. KA-19-ES-8725 on 29-02-2020 at about 11.00 p.m., Near NH-66, Opp. S.S.Bar and Restaurant, Padubidri, Nadsal Village, Kaup Taluk, Udupi.

This petition coming on 02-07-2026 for final disposal before me in the presence of Sri. S.A., Advocate for petitioners and of Sri. D.B.S., Advocate for R2 and of Sri. S.S.M., Advocate for R3 and R1 and R4 are placed exparte and the matter stood over for consideration till this day, this court doth hereby order and award as follows:

1. That, the claim petition filed by the petitioners under Sec. 163-A of the Motor Vehicles Act is allowed in part with cost.
2. That, the petitioners are entitled to receive total compensation amount of Rs.5,00,000/- (Rupees Five Lakhs only) along with interest at the rate of 6% per annum from the date of petition till realization of the amount.
3. That, the respondent No.1 and 2 are jointly and severally liable to pay the award amount. Since the respondent No.2 is the insurer, the respondent No.2 is directed to pay the compensation and the same shall be deposited within 45 days from the date of this order.
4. That, the petitioner No.1 to 3 shall share the compensation at the ratio of 50:30:20 respectively.
5. That, the amount awarded to the petitioner No.1 and 3 with proportionate interest is ordered to be credited to the account of the petitioner No.1 and 3 either through R.T.G.S. or N.E.F.T.

6. That, the compensation awarded to the share of the petitioner No.2 shall be kept in Nationalized or Scheduled Bank in his name till he attains majority.
7. That, respondents shall pay to the petitioners the sum of Rs.1,120=00 towards the cost of the petition.

Given under my hand and seal of this court, this the 2nd day of July, 2026.

Addl. Sr. Civil Judge & Addl. M.AC.T.
Udupi.

SCHEDULE OF COSTS

		Petitioners ₹	R1 & R4 ₹	R.2 & R.3 ₹
1)	Stamp on Petition	10-00	Exparte	-
2)	Stamp on process	10-00		--
3)	Typing and clerical charges	100-00		--
4)	Advocate Fees	1,000-00		M.C. not filed
	Total	1,120-00		

Addl. Sr. Civil Judge & Addl. M.A.C.T.,
Udupi.

Award signed on : 09-07-2026.

Addl. Sr.Civil Judge & Addl. M.A.C.T.,
Udupi.

