



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

MISCELLANEOUS FIRST APPEAL NO. 1185 OF 2026 (MV-D)

BETWEEN:

1. SMT.SUNITHA S.,
W/O. LATE NAGESH D,
AGED ABOUT 28 YEARS,
2. MASTER AKSHAYGOWDA N.,
S/O. LATE NAGESH. D,
AGED ABOUT 06 YEARS.,
3. KUM. GANAVI N.,
D/O. LATE NAGESH D,
AGED ABOUT 4 YEARS,

THE APPELLANTS 2 AND 3 ARE MINOR
REPRESENTED BY THEIR NATURAL
GUARDIAN MOTHER APPELLANT NO.1,

4. SMT. PUTTACHANNAMMA
W/O. DODDAIAH,
AGED ABOUT 73 YEARS,

ALL ARE R/AT YAREHALLI VILLAGE,
KOOTAGAL HOBLI,
RAMANAGARA TALUK,
RAMANAGARA DISTRICT.

...APPELLANTS

(BY SRI. K. SHANTHA RAJ.,ADVOCATE)

AND:

1. SRI. SHANKARAIAH J.D.,
S/O. DESHILINGAIAH,
R/AT JOGIDODDI VILLAGE,
YAREHALLI POST,
KOOTAGAL HOBLI,
RAMANAGARA DISTRICT-562 159.





NC: 2026:KHC:11900
MFA No. 1185 of 2026

2. THE MANAGER,
CHOLA @ S. GENERAL INS. LTD.,
UNIT-4, 9TH FLOOR,
GOLDEN HEIGHTS COMPLEX,
59TH 'C' CROSS, 4TH M BLOCK
INDUSTRIAL SUBURB,
BENGALURU-560 010.

...RESPONDENTS

(BY SRI.B.C.SHIVANNE GOWDA.,ADVOCATE FOR R2,
VIDE ORDER DATED 20.02.2026, NOTICE TO R1 IS D/W)

THIS MFA IS FILED U/S 173(1) OF MV ACT PRAYING TO
MODIFY THE JUDGMENT AND AWARD DATED 11.11.2025 PASSED IN
MVC NO.513/2023 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL
JUDGE AND CJM AND ADDITIONAL MACT, RAMANAGARA, PARTLY
ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING
ENHANCEMENT OF COMPENSATION.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA

ORAL JUDGMENT

Heard the arguments of both sides.

2. This appeal is filed against the award of the Tribunal
in MVC No.513/2023 dated 11.11.2025. Nagesh D-deceased
met with an accident on 02.10.2023 and subsequently died. His
wife, two children and his mother have filed claim petition
claiming compensation of Rs.75,00,000/-. Tribunal considering
the entire evidence on record, granted an amount of
Rs.30,74,433/- with interest at the rate of 6% per annum from



date of petition till realisation. Aggrieved by the said judgment and award, the appellants preferred this appeal and mainly contented that Tribunal has not granted any amounts under the head of consortium. It is stated that deceased-Nagesh was doing agricultural and dairy farming business and earning Rs.30,000/- per month. But the Tribunal erred in taking his earning to Rs.16,800/- and interest is to be granted at the rate of 12%.

3. There is no dispute regarding the amount granted under head of 'loss of dependency' and Tribunal granted Rs.30,24,000/- towards the said head and it is confirmed. The main contention is that the consortium is not granted. The deceased met with an accident in the year 2023, therefore, an amount of Rs.44,000/- is to be granted and towards 'spousal consortium' to appellant No.1, appellant Nos.2 and 3 are entitled for Rs.44,000/- each towards 'parental consortium' and appellant No.4 is entitled for Rs.44,000/- towards 'filial consortium' and they are also entitled for Rs.30,000/- under the conventional heads. The Tribunal granted Rs.7,433/- towards 'medical expenses' and it is confirmed. Thus, in all components awarded by this Court are as below:



Sl. No.	Particulars	Amount (Rs.)
1.	Loss of dependency	30,24,000/-
2.	Consortium	1,76,000/-
3.	Conventional head	30,000/-
4.	Medical expenses	7,433/-
	Total	32,37,433/-
	Tribunal awarded	30,74,433/-
	Enhanced amount	1,63,000/-

4. Therefore, the compensation is enhanced to **Rs.1,63,000/-** as against the compensation awarded by the Tribunal with interest at the rate of 6% per annum.

5. The insurance company already deposited the awarded amount before the Tribunal. Therefore, respondent No.2 is directed to deposit the enhanced compensation of Rs.1,63,000/- with interest at the rate of 6%.

6. In the result, I pass the following:

ORDER

- i. Miscellaneous First Appeal ***allowed in-part.***
- ii. Judgment and award dated 11.11.2025 passed in M.V.C. No.513/2023 on the file of



the Prl. Senior Civil Judge & CJM and Addl. MACT, Ramanagara is modified;

- iii. The appellants-claimants are entitled for enhanced compensation of Rs.1,63,000/- along with interest at the rate of 6% per annum from the date of petition till the date of realisation;
- iv. The respondent No.2-Insurance Company is directed to deposit the enhanced compensation of Rs.1,63,000/- with interest at the rate of 6% per annum within one month from the date of this order;
- v. On such deposit, the appellant No.1/wife of the deceased is permitted to withdraw the entire amount along with interest accrued on the same;

Sd/-
(P SREE SUDHA)
JUDGE