



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. 3119 OF 2017 (MV-D)

BETWEEN:

1. SRI. BETTEGOWDA
AGED ABOUT 72 YEARS,
S/O KALARASE GOWDA
2. SMT. CHIKKAGANGAMMA
@ GANGAMMA
W/O BETTEGOWDA
AGED ABOUT 56 YEARS,

BOTH ARE RESIDING AT:
BETTADAKOTE,
BILIGUNDA POST,
BELLUR HOBLI,
NAGAMANGALA TALUK
MANDYA DISTRICT.

...APPELLANTS

(BY SRI. R. LAKSHMANA.,ADVOCATE)

AND:

1. M/S EUREKA FORBES LTD.,
BY ITS MANAGER
NO.1/B, 48, 2ND FLOOR,
27TH CROSS, 7TH BLOCK,
JAYANAGAR, BANGALORE - 83.
2. UNITED INDIA INSURANCE
COMPANY LIMITED,





BY ITS MANAGER,
MOTOR DEALER DIVISION
KRISHI BHAVAN, 6TH FLOOR,
HUDSON CIRCLE, BANGALORE 01.

...RESPONDENTS

(BY SRI.B.C.SHIVANNE GOWDA.,ADVOCATE FOR R2;
VIDE ORDER DATED 19.04.2024,
NOTICE TO R1 IS DISPENSED WITH)

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE
JUDGMENT AND AWARD DATED.10.07.2014 PASSED IN MVC
NO.6250/2011 ON THE FILE OF THE JUDGE COURT OF SMALL
CAUSES AND 26TH ACMM, BENGALURU, PARTLY ALLOWING THE
CLAIM PETITION FOR COMPENSATION AND SEEKING
ENHANCEMENT OF COMPENSATION AND ETC.

THIS APPEAL, COMING ON FOR DISMISSAL, 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 M.V.C.No.6250/2011 dated 10.07.2014. Sri. Jai Kumar,
injured/claimant met with an accident on 18.01.2011 and died
subsequently. His parents filed claim petition claiming
compensation of Rs.25,00,000/-. Tribunal considering the
entire evidence on record, granted an amount of
Rs.12,20,000/- with interest at the rate of 6% per annum from



the date of petition till realization. Aggrieved by the said order, appellants preferred an appeal and mainly contented that Tribunal considered his income as Rs.10,000/- instead of Rs.20,060/-. As he was working as a Customer Sales Specialist at Eureka Forbes Ltd., they filed Ex.P13 and Ex.14 and also examined the employer as PW.2. Thus, the appellants requested for enhancement of the compensation.

3. It is stated that Jaikumar/deceased was working as a Customer Sales Specialist at Eureka Forbes Ltd., and as per Ex.P8, he joined in the service in the year 2010. He examined PW.2 and marked Exs.P13 and P14 and salary slips for the month of June, 2010 to September, 2011 are filed. But he met with an accident in September, 2011.

4. Learned counsel of the respondents stated that they have not filed any bank statement and the income of Jai Kumar varying from month to month. It was Rs.20,060/- in August 2011, Rs.12,250/- in July 2011 and Rs.5,582/- in June 2010. Considering the variation, this Court finds it reasonable to take the average salary of the deceased as Rs.12,631/- per month for the purpose of calculation. He was aged 23 years and the



multiplier is '18'. As he was a private employee, he is entitled for 40% towards 'future prospects' and he was a bachelor, 50% has to be deducted towards his 'personal expenses'. Therefore, '**loss of dependency**' comes to **Rs.19,09,764/-** ($12,631 + 40\% \times 12 \times 18 - 50\%$). Appellant Nos.1 and 2 are parents and each of them are entitled for an amount of **Rs.40,000/-** towards **filial consortium**, and they are also entitled for **Rs.30,000/-** under the **conventional heads**. Thus, in all components awarded by this Court are as below:

Sl. No.	Particulars	Amount (Rs.)
1.	Loss of dependency	19,09,764/-
2.	Consortium	80,000/-
3.	Conventional heads	30,000/-
	Total	20,19,764/-
	Tribunal awarded	12,20,000/-
	Enhanced amount	7,99,764/-

5. Therefore, the compensation is enhanced to **Rs.7,99,764/-** as against the compensation awarded by the Tribunal with interest at the rate of 6% per annum.



6. The insurance company already deposited the awarded amount before the Tribunal. Therefore, respondent No.2 is directed to deposit the enhanced compensation of **Rs.7,99,764/-** with interest at the rate of 6% per annum.

7. In the result, I pass the following:

ORDER

- i. The appeal is ***allowed in-part.***
- ii. The judgment and award dated 10.07.2014 passed in M.V.C.No.6950/2011 on the file of the Court of Small Causes and Motor Accident Claims Tribunal, Bangalore (SCCH-09) is modified.
- iii. The appellants - claimants are entitled for enhanced compensation of **Rs.7,99,764/-** along with interest at the rate of 6% per annum from the date of petition till the date of realization.
- iv. Respondent No.2 - Insurance Company is directed to deposit the enhanced compensation of **Rs.7,99,764/-** with interest at the rate of 6% per annum within one month from the date of this order.



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- v. On such deposit, the appellants - claimants are permitted to withdraw the entire amount along with interest accrued on it equally.

Sd/-
(P SREE SUDHA)
JUDGE

PKN
List No.: 1 SI No.: 38