



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

MISCELLANEOUS FIRST APPEAL NO. 3914 OF 2024

(MV-I)

BETWEEN:

1. SUMITHRA SINCE DEAD BY HER LRS
BASAVARAJU CHIRANTH
S/O HIREGOWDA
AGED ABOUT 66 YEARS

2. CHIRANTH B
S/O BASAVARAJU CHIRANTH
AGED ABOUT 32 YEARS

3. SUCHITHRA B.,
D/O BASAVARAJU CHIRANTH
AGED ABOUT 31 YEARS

ALL ARE R/O SUCHITHRA NILAYA,
NEAR HASANAMBA SCHOOL
NRUPATHUNGA ROAD,
DASARAKOPPALU
HASSAN - 573 202

...APPELLANTS

(BY SRI. GIRISH B BALADARE, ADVOCATE)

AND:

1. THE UNITED INDIA INS. CO. LTD.,
REGIONAL OFFICE, 5TH FLOOR,



KRUSHI BHAVAN
NEAR HUDSON CIRCLE
BANGALORE- 560 027

2. SHRIHARSHA N.,
S/O NARAYANASWAMY
MAJOR
R/O NO 138, 7TH CROSS
9TH MAIN, SUVARNA LAYOUT,
NAGARABHAVI 1ST STAGE
3RD BLOCK
BANGALORE – 560 072

...RESPONDENTS

(BY SRI. G.S.MARULAIAH, ADVOCATE FOR R1

V/O/D 30/08/2024- NOTICE TO R2 IS DISPENSED WITH)

THIS MFA FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 22.02.2023 PASSED IN MVC NO. 6251/2018 ON THE FILE OF THE XIII ADDITIONAL SMALL CAUSES JUDGE, ACMM, COURT OF SMALL CAUSES AND MEMBER, MACT-15, BENGALURU (SCCH-15), PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI



ORAL JUDGMENT

Aggrieved by the award passed in MVC.No.6251/2018 dated 22.02.2023 by XIII Additional Small Causes Judge, ACMM, Court of Small Causes and Member, MACT-15, Bengaluru, whereby the Tribunal had granted compensation of an amount of Rs.3,96,500/-, the claimant is before this Court seeking enhancement of the compensation.

2. The claim petition is filed seeking compensation of an amount of Rs.30,00,000/- for the injuries sustained in the road traffic accident. On 09.07.2018 at about 02:30 am., the deceased and her family members were proceeding in a car and the same was driven by its driver from tirupathi towards Hassan on NH-75 in a rash and negligent manner, endangering to human life without observing any traffic rules and regulations and while proceeding near Kannasandra, Magadi Taluk. Due to his negligent driving, he lost control and dashed against left side standing safety stone and fell on 20feet ditch. Due to which the deceased and other inmates of the car sustained grievous injuries all over the body. Immediately after the accident, the deceased was shifted to Hospital. During the



pendency of the petition, she was succumbed to the injuries in the said accident.

3. Learned counsel appearing for the appellant/claimant submits that because of the accidental injuries the wife of the appellant had died and the Tribunal has not granted any compensation. When the medical bills are amounting to Rs.7,12,863/- the tribunal has granted only an amount of Rs.3,96,500/-. It is submitted that the incidental expenses and the loss of income during laid up period is not granted and loss of dependency is not calculated by the Tribunal. It is submitted that the Tribunal had not granted reasonable compensation and the compensation needs to be enhanced.

4.Learned counsel appearing for respondent No.1/ Insurance Company submits that the Tribunal has rightly granted the compensation and there are no grounds to interfere.

5. Having heard the learned counsels on either side, perused the entire material on record. This court has perused the order passed by the Tribunal and has rightly observed by



the Tribunal there is no nexus between the accident and the death of the deceased. Basing on the evidence on record the Tribunal had rightly granted an amount of Rs.3,96,500/- towards the medical expenses and the amount awarded by the Tribunal is just and reasonable compensation and this Court do not find any reason to interfere with the well considered order passed by the Tribunal.

- i. Accordingly, the appeal filed by the claimant is ***dismissed.***
- ii. Registry is directed to return the Trial Court Records to the Tribunal, along with certified copy of the order passed by this Court forthwith without any delay.
- iii. No costs.
- iv. Pending miscellaneous petitions, if any, shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE