



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 17<sup>TH</sup> DAY OF OCTOBER, 2025**

**PRESENT**

**THE HON'BLE MR. JUSTICE D K SINGH**

**AND**

**THE HON'BLE MR. JUSTICE RAJESH RAI K**

**MISCELLANEOUS FIRST APPEAL NO.5675 OF 2022(MV-D)**

**BETWEEN:**

1. THE DIVISIONAL CONTROLLER  
KSRTC, DAVANAGERE DIVISION,  
DAVANAGERE.
2. MANAGING DIRECTOR/CHAIRMAN  
INTERNAL SECURITY FUND, KSRTC,  
SARIGE BHAVANA, BENGALURU,

BOTH REPT.HEREIN BY ITS  
CHIEF LAW OFFICER, BANGALORE.

...APPELLANTS

(BY SRI. F.S. DABALI, ADVOCATE)

**AND:**

1. SRI. SURESH. M  
S/O. LATE K. MAHADEVAPPA,  
AGED ABOUT 53 YEARS,
2. LAVANYA. S  
D/O. SURESH. M,  
AGED ABOUT 26 YEARS,
3. DEEPIKA. S  
D/O. SURESH. M,

Digitally signed  
by PANKAJA S  
Location: HIGH  
COURT OF  
KARNATAKA



AGED ABOUT 24 YEARS,

4. YASHAVANTH  
S/O. SURESH. M,  
AGED ABOUT 21 YEARS,

ALL ARE R/O. AT MARADI VILLAGE,  
TANIGERE POST,  
CHANNAGIRI TALUK,  
DAVANAGERE DISTRICT.

PRESENT R/O OF C/O RAJASHRUNGARA  
G.E., S/O. ERANNA E. DOOR NO. 91/18,  
HONDA ROAD, DAVANAGERE.

5. HANUMANTHAPPA. C  
S/O. CHANDRAPPA. H,  
AGED ABOUT 40 YEARS,  
KSRTC, BUS DRIVER,  
R/O. BELAGATTA VILLAGE,  
VANIVILASAPURA POST,  
HIRIYURU TALUK,  
CHITRADURGA DISTRICT.
6. THE MANAGER IFFCO TOKIYO  
GENERAL INSURANCE CO. LTD.,  
LAWYER ROAD, PLD BANK,  
DAVANAGERE.

...RESPONDENTS

(BY SRI. K PRASANNA SHETTY, ADVOCATE FOR R1 TO R4  
VIDE ORDER DATED 26/09/2022 NOTICE TO R5 IS  
DISPENSED WITH  
R6-SERVED AND UNREPRESENTED)

THIS MFA IS FILED U/S.173(1) OF MV ACT, AGAINST THE  
JUDGMENT AND AWARD DT.31.03.2022 PASSED IN MVC  
NO.694/2019 ON THE FILE OF THE I ADDITIONAL SENIOR  
CIVIL JUDGE, ADDITIONAL MACT-V, DAVANAGERE,  
AWARDING COMPENSATION OF RS.17,52,000/- WITH



INTEREST AT 9 PERCENT P.A. FROM THE DATE OF PETITION  
TILL ITS REALIZATION.

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

CORAM: HON'BLE MR. JUSTICE D K SINGH  
and  
HON'BLE MR. JUSTICE RAJESH RAI K

**ORAL JUDGMENT**

(PER: HON'BLE MR. JUSTICE D K SINGH)

Having heard Mr. F.S. Dabali, learned counsel for the appellants, who submits that except for the interest awarded by the learned Motor Accident Claims Tribunal (hereinafter referred as 'Tribunal'), he is not aggrieved by the award passed and instead of 9%, interest should be reduced to 6%.

2. The learned counsel for the respondents-claimants also do not dispute that there was no special circumstance to withdraw interest at the rate of 9%.

3. Considering the aforesaid facts, we uphold the award except the rate of interest and we reduce the rate of interest from 9% to 6% from the date of filing of the claim petition till the date of its realization.



4. The amount deposited before this Court while filing the appeal should be remitted to the learned Tribunal and disbursed. Any excess amount deposited by the appellants shall be refunded to it by the Tribunal.

5. Accordingly, the appeal is ***allowed-in-part***.

**SD/-**  
**(D K SINGH)**  
**JUDGE**

**SD/-**  
**(RAJESH RAI K)**  
**JUDGE**

CR  
List No.: 1 SI No.: 12