



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

MISCELLANEOUS FIRST APPEAL NO. 4311 OF 2025 (MV-I)

BETWEEN:

SRI GOPINAIK
S/O BHEEMANAIK
AGED ABOUT 29 YEARS,
OCCUPATION: HOTEL WORK,
R/O. BEHIND SEETHAMMA PARK
DAVANGERE.

...APPELLANT

(BY SMT. ASHWINI B N., ADVOCATE)

AND:

1. SRI MANIKANTA
S/O. NINGAPPA,
AGED ABOUT 30 YEARS,
DRIVER-CUM-OWNER OF
HERO GRAMOUR VEHICLE
BEARING REGISTRATION NO. KA-17,
E.V.- 4078, R/O. SATTUR VILLAGE,
HARAPANAHALLI TALUK,
VIJAYANAGAR DISTRICT.
2. THE MANAGER,
NEW INIDA INSURANCE COMPANY LTD.
(CENTRAL GOVERNMENT AGENCY)
LOCAL ADDRESS:-
DAVANGERE BRANCH (68050)
#160/1, NARASARAJ ROAD,
DAVANGERE.

...RESPONDENTS

(BY SRI. C.R. RAVISHANKAR., ADVOCATE FOR R2,
V/O DATED 12.12.2025, NOTICE TO R1 IS D/W)





THIS MFA IS FILED U/S.173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DT.24.03.2025 PASSED IN MVC NO.271/2022 ON THE FILE OF THE PRL. SENIOR CIVIL JUDGE AND IV MACT, CJM, DAVANAGERE, 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

This appeal is filed by the appellant/claimant under Section 173(1) of Motor Vehicles Act, 1988 challenging the judgment and award dated 24.03.2025 passed in MVC No.271/2022 on the file of the PRL. Senior Civil Judge and IV MACT, CJM, Davanagere, for enhancing the compensation.

2. Heard the arguments of the learned counsel for the appellant and learned counsel for respondent No.2. The ranks of the parties are retained as per tribunal for the sake of convenience.



3. The injured claimant had met with accident on 05.09.2021 and filed claim petition claiming compensation of Rs.30,00,000/-. The Tribunal had granted an amount of Rs.4,15,350/- with interest at the rate of 6%.

4. Aggrieved to the said order, they preferred an appeal. During the course of arguments, it is mainly contented that petitioner had incurred Rs.5,35,000/- towards medical expenses, however the Tribunal awarded only Rs.1,51,746/- without assigning any reasons for not considering the remaining bills. Therefore, at the request of both sides, the matter is remanded to the Tribunal and tribunal is directed to give reasonable opportunity to both sides for adducing the evidence and for arguments to the extent of medical expenses.

Accordingly, this appeal is ***disposed of.***

The Tribunal is directed to dispose of the matter on merits within one month from the date of this order.

The registry is directed to transmit the records to the Tribunal within ten days from the date of order.



NC: 2026:KHC:16725
MFA No. 4311 of 2025

Both parties are directed to appear before the tribunal on
27.04.2026.

Sd/-
(P SREE SUDHA)
JUDGE

AKV
CT:NR
List No.: 1 Sl No.: 44