



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

MISCELLANEOUS FIRST APPEAL NO. 6015 OF 2024 (MV-D)

BETWEEN:

1. R GANGAIAH
S/O RAMANNA,
AGED ABOUT 58 YEARS,
2. SMT. GANGULAMMA
W/O GANGAIAH,
AGED ABOUT 51 YEARS

BOTH ARE RESIDING AT
MANDAMPALLI VILLAGE
PALYAKERE POST,
CHELUR HOBLI
BAGEPALLI TALUK,
CHIKKBALLAPURA DISTRICT - 563 146

Digitally signed
by
PADMASHREE
SHEKHAR
DESAI

Location: High
Court of
Karnataka

(BY SRI. G.M. SRINIVASAREDDY, ADVOCATE)

...APPELLANTS

AND:

1. GUJJULA VENKATARAMANA REDDY
S/O GUJJALA THIRUPAL REDDY,
AGE MAJOR,
4/B/C-4,
SRI BALAJI NAGAR,
CHILAMKUR,
YERRAGUNTLA YSR KADAPPA,
KADAPA



ANDHRA PRADESH - 516310.

2. M/S BAJAJ ALLIANZ
GENERAL INSURANCE COMPANY LTD.,
GOLDEN HEIGHTS,
4TH FLOOR,
59TH C CROSS,
4TH M BLOCK,
RAJAJINAGAR
BANGALORE - 560 010
REPRESENTED BY BRANCH MANAGER

...RESPONDENTS

(R1 - SERVED
BY SRI. B. PRADEEP, ADVOCATE FOR R2)

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE
JUDGMENT AND AWARD DATED 26.11.2020 PASSED IN MVC
NO.4944/2018 ON THE FILE OF THE XXI ADDITIONAL SMALL
CAUSES JUDGE AND ACMM, COURT OF SMALL CAUSES,
BENGALURU SCCH-23, PARTLY ALLOWING THE CLAIM
PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT
OF COMPENSATION BARRED BY TIME.

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

CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA



ORAL JUDGMENT

The Tribunal passed a common award dated 26.11.2020 in MVC No.4944/2018 and 4945/2018. The present appeal in MFA No.6015/2024 is filed against the award passed in MVC No.4944/2018 by the Court of XXI Additional Small Causes Judge and ACMM Court of Small Causes, Bengaluru (SCCH-23), (for short, 'the Tribunal') seeking enhancement of compensation.

2. One Karthik @ Roddam Karthik and Manjunatha @ Galiveti Manjunath met with an accident on 24.04.2018 and subsequently died. His parents filed a claim petition claiming compensation of Rs.20,00,000/-. The Tribunal, after considering the entire evidence on record, awarded a compensation of Rs.14,40,800/- along with interest at the rate of 6% per annum from the date of petition till realisation.

3. Aggrieved by the said award, the claimants have preferred the present appeal contending that the deceased-Karthik was earning Rs.500/- per day, but the Tribunal has taken the notional income at Rs.9,000/- per month, which is on the lower side. It is further contented that the compensation



awarded under various heads is meager. Therefore, they requested for enhancement of compensation.

4. Though it is stated that the Karthik was earning Rs.500/- per day, no documentary evidence has been produced to substantiate the same. Considering that the accident occurred in the year 2018, this Court finds it reasonable to take the notional income as Rs.12,500/- per month, as per the chart prepared by the Karnataka State Legal Services Authority. The Karthik was aged 16 years at the time of the accident and the applicable multiplier is '18'. He is entitled for an addition of 40% towards future prospects, as he was a bachelor, 50% of the income is to be deducted towards personal expenses. Therefore, the loss of dependency comes to $12,500 + 40\% \times 12 \times 18 - 50\% = \text{Rs.}18,90,000/-$.

5. The claimants are parents of the deceased and each of them are entitled for sum of Rs.40,000/- towards filial consortium and they are also entitled for Rs.30,000/- under the conventional heads.

6. Accordingly, the compensation payable is recalculated as follows:



Particulars	Amount in Rs.
Loss of dependency	18,90,000.00
Loss of filial consortium (Rs.40,000/- x 2)	80,000.00
Conventional heads	30,000.00
Total	20,00,000.00

7. Thus, the appellants/claimants are entitled to total compensation of Rs.20,00,000/- as against Rs.14,40,800/- awarded by the Tribunal. The enhanced compensation therefore amounts to Rs.5,59,200/-. To this extent, the award passed by the Tribunal requires modification.

8. In the result, the following order is passed:

ORDER

- i. Appeal is ***allowed in part.***
- ii. The judgment and award dated 26.11.2020 passed in MVC No.4944/2018 by the Court of XXI Additional Small Causes Judge and ACMM Court of Small Causes, Bengaluru (SCCH-23), is hereby modified;



- iii. The respondents are directed to pay compensation of Rs.20,00,000/- with interest at 6% per annum.
- iv. The Insurance Company, having already deposited 50% of the compensation awarded by the Tribunal, is directed to deposit the balance compensation with interest at the rate of 6% per annum from the date of petition till realization, within a period of one month from the date of this order.
- v. On such deposit, the claimants (parents of the deceased) are permitted to withdraw the same in equal proportion.
- vi. As ordered by the Tribunal, the principle of pay and recovery shall apply. The Insurance Company is at liberty to recover the amount from the owner of the offending vehicle in accordance with law.

Sd/-
(P SREE SUDHA)
JUDGE