



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

MISCELLANEOUS FIRST APPEAL NO. 8086 OF 2013 (MV-I)

BETWEEN:

SMT.ASHWINI VIJAY METRANI
AGED ABOUT 34 YEARS,
W/O. VIJAY METRINI
R/O. SHANTHINIKETHAN SLINTRE COLONY,
NIPPANI & ALSO AT NO.93,
PAVAN KUMAR LAYOUT
CHIKKAGUBBI VILLAGE,
DODDAGUBBI POST,
BANGALORE 560077

...APPELLANT

(BY SRI. H L JAYARAMU, ADVOCATE)

AND:

1. SRI SOEB NOOR
MD. MARCHAND
AGED ABOUT 46 YEARS,
S/O NOOR MD. ABDULLA,
RESIDING AT NO.78,
ROBERTSON ROAD
EAST POINT APARTMENTS,
3RD FLOOR, FRAZER
BANGALORE 560005
(R.C. OWNER OF MOTOR CYCLE
BEARING REG No. KA-50/J-3445)





HC-KAR



2. M/S. TATA AIG GENERAL
INSURANCE CO. LTD
NO.69,J.P & DEVI
JAMBU KESWARA ARCADE,
MILLERS ROAD,
BANGALORE 560052
I.P. NO.015072406801
VALID FROM 09.11.2010 TO 08.11.2011

...RESPONDENTS

(BY SRI. B. PRADEEP, ADVOCATE FOR R2 (VK NOT FILED))

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 13.6.2013 PASSED IN MVC NO.4726/2011 ON THE FILE OF THE 7TH ADDITIONAL SMALL CAUSES JUDGE, MEMBER, MACT-3, BANGALORE, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL JUDGMENT

1. The above appeal is filed by the claimant seeking enhancement of the quantum of compensation.
2. Both the learned counsel appearing for the parties have filed a joint memo, which reads as under:

"JOINT MEMO

The Appellant and the respondent No.2 in the above case most humbly file the joint



HC-KAR



memo as both have agreed to accept the further compensation of ₹1,00,000/- (Rupees One lakh only) to be paid to the Appellant by the Respondent No.2, subject to approval.

Hence the memo.

Sd/-
Advocate for
Respondent No.2

Sd/-
Adv.for Appellant

Bengaluru,
27.3.26"

3. In view of the same, the above appeal is partly allowed. The judgment and award dated 13.06.2013 passed in MVC No.4726/2011 by the VII Additional Small Causes Judge, Member, MACT-3, Bangalore, is modified to the extent of holding that the appellant/claimant shall be entitled to a further compensation of ₹1,00,000/- inclusive of interest, in addition to the compensation awarded by the Tribunal.
4. The second respondent - insurer shall deposit the said compensation within six weeks.
5. The records be transmitted to the Tribunal forthwith.



6. The registry to draw the modified decree accordingly.
7. No costs.

Sd/-
(C.M. POONACHA)
JUDGE

ND
List No.: 1 SI No.: 20