



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

MISCELLANEOUS FIRST APPEAL NO. 6471 OF 2024 (MV-D)

BETWEEN:

1. GAYATHRI
W/O NARASIMHAMURTHY
D/O LATE CHANDRANNA
AGED ABOUT 47 YEARS,
2. MANJESH D N
S/O NARASIMHAMURTHY
AGED ABOUT 27 YEARS
NOW R/AT GAANANILAYA
BEHIND MARUTHI HOSPITAL,
MARALURE RING ROAD,
TUMAKURU TQ AND DIST.

...APPELLANTS

(BY SRI. MALLIKARJUN DODDABASAVARAJAPPA RYAKHA.,
ADVOCATE)

AND:

1. KIRAN KUMAR
S/O SADASHIVAIAH,
AGED ABOUT 42 YEARS,
R/O HUDDE HOSAKERE VILLAGE,
SOMPURA POST,
GUBBI TALUK-572216
TUMAKURU DISTRICT.
2. THE MANAGER
UNITED INDIA GENERAL INSURANCE
CO.LTD.ISSUED OFFICE AT GUBBI.

Digitally signed
by
PADMA SHREE
SHEKHAR
DESAI

Location: High
Court of
Karnataka



NC: 2026:KHC:16664
MFA No. 6471 of 2024

SERVICE ADDRESS:

THE MANAGER,
UNITED INDIA GENERAL INSURANCE
CO.LTD., BH ROAD,
TUMAKURU.

...RESPONDENTS

(BY SRI. S.V. HEGDE MULKHAND, ADVOCATE FOR R2,
V/O DATED 22.09.2025 NOTICE TO R1 IS D/W)

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 13.08.2024 PASSED IN MVC NO.436/2022 ON THE FILE OF THE PRL SENIOR CIVIL JUDGE, CJM, TUMAKURU, 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 MRS. JUSTICE P SREE SUDHA

ORAL JUDGMENT

This appeal is filed against the judgment and award the Tribunal dated 13.08.2024 passed by the Principal Senior Civil Judge and CJM, Tumakuru, in MVC No.436 of 2022.

2. One Chandranna, son of late Honnappa, met with an accident on 05.02.2022 and died subsequently. His daughter and grandson filed claim petition claiming compensation of Rs.30,00,000/-. The Tribunal considering the entire evidence



on record granted Rs.83,040/- with interest of the rate of 6% per annum from date of petition till realisation.

3. Aggrieved by the said order, this appeal is preferred in which it is contented that the first appellant is the adopted daughter of Chandranna and second appellant is the son of the first appellant. But, the tribunal observed that she is not the class-I legal heir of deceased Chandranna and granted meagre compensation.

4. Learned counsel or appellants stated that Chandranna executed a Will in favour of the first appellant and in the said document, he stated that the first appellant was with him from the age of 3 years, but the copy of the Will is not marked before the tribunal.

5. Learned counsel for the respondent stated that as per Aadhar card and PAN card filed under Ex.Ps.12 and 13, the name of father of the first appellant is shown as Basavaraju not Chandranna. As such, she is not the daughter of Chandranna and it is to be established by the legal petitioner by the process of law.



6. Therefore, this Court finds that it is just and reasonable to remand the matter with a direction to the Tribunal to grant reasonable opportunity to both parties for adducing evidence and to hear the arguments and dispose of the matter on merits by duly considering the entire evidence on record within two months from the date of this order.

7. Accordingly, the following order is passed:

- (i) The appeal is allowed.
- (ii) The matter is remanded to the Tribunal with a direction to the Tribunal to grant reasonable opportunity to both sides for adducing evidence and for arguments, and dispose of the matter on merits by duly considering the entire evidence on record within two months from the date of this order.
- (iii) Registry is directed to send the records to the Tribunal within ten days from today.
- (iv) Both the parties are directed to appear before the concerned Tribunal on 15.04.2026.



NC: 2026:KHC:16664
MFA No. 6471 of 2024

- (v) The appellants are not entitled for interest from date of appeal till today, as they failed to mark the Will before the Tribunal at an appropriate time.

Sd/-
(P SREE SUDHA)
JUDGE

CS
CT:NR
List No.: 1 Sl No.: 70