



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

MISCELLANEOUS FIRST APPEAL NO. 6391 OF 2025 (MV-D)

BETWEEN:

1. SRI G SOUNDAR RAJ
S/O LATE. P. GANAPATHI,
NOW AGED ABOUT 63 YEARS,
RESIDING AT NO.15/A,
2ND CROSS, POTTERY TOWN,
BANGALORE NORTH,
BANGALORE-560 046

...APPELLANT

(BY SRI. N.R. RANGEGOWDA, ADVOCATE)

AND:

1. SYED REEHAN
S/O, SYED LIYAKATH,
R/AT. NO.38, RAILWAY GATE,
HIDAYAT NAGAR,
BENGALURU-560 045
2. THE TATA AIG GENERAL INS CO, LTD.,
REP BY ITS MANAGER,





NO.69, DEVI JAMBUKESHWAR ARCADE,
MILLER ROAD, 2ND FLOOR,
BANGALORE-560 052

...RESPONDENTS

(BY SRI. MURALIDHAR N., ADVOCATE FOR R2
VIDE ORDER DATED 30.08.2025, NOTICE TO R1 IS D/W)

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE
JUDGMENT AND AWARD DATED 05.03.2025 PASSED IN MVC
NO.4649/2022 ON THE FILE OF THE XXIII ADDITIONAL SMALL
CAUSES JUDGE, MOTOR ACCIDENT CLAIMS TRIBUNAL, COURT
OF SMALL CAUSES, BENGALURU (SCCH-25), 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 MRS. JUSTICE P SREE SUDHA



ORAL JUDGMENT

Heard the arguments of both sides.

2. This appeal is filed against the award of the tribunal in MVC No. 4649/2022 dated 05.03.2025. In a case of death, injured claimed compensation of Rs.10,00,000/- but the tribunal granted Rs.5,00,000/- under no fault liability under Section 164 of MV Act. As per the amendment in the year 2019 and it reads as follows.

"Notwithstanding anything contained in this Act or in any other law for the time being in force or instrument having the force of law, the owner of the motor vehicle or the authorised insurer shall be liable to pay in the case of death or grievous hurt due to any accident arising out of the use of motor vehicle, a compensation, of a sum of five lakh rupees in case of death or of two and a half lakh rupees in case of grievous hurt to the legal heirs or the victim, as the case may be"

3. Thus, the tribunal granted Rs.5,00,000/- and directed respondent No.2 to deposit the said amount within 60 days and he preferred an appeal against the said order and contended that request is not granted. But the counsel of the respondent stated that as it is a fixed amount and they have deposited the



amount in time they need not pay any interest. The counsel of the appellant relied upon Section 171 of MV Act which reads as follows:

"Award of interest where any claim is allowed: Where any claims tribunal allows a claim for compensation made under this Act, such Tribunal may direct that in addition to the amount of compensation simple interest shall also be paid at such rate and from such date not earlier than the date of making the claim as it may specify in this behalf"

(i) Interest awarded at the rate of 12% per annum is payable on the entire amount awarded from the date of filing of application till realisation. Interest is to be awarded even on the amount awarded by the Tribunal and deposited by the insurer although the same could not be withdrawn by the claimants, because they could not furnish security as ordered in appeal filed by the insurer; Chandro Devi vs Jit Singh, 1989 AcJ 41 (Del).

(ii) Tribunal should grant interest from date of application unless claimant is responsible for causing delay in final disposal of the case; Vidhya Kakkar vs D.T.C., 1989 ACJ 1088 (Del).



4. Learned counsel for the appellant stated that he is entitled for interest as per the said provision. In the said provision, it was stated whenever the Court allows the claim for compensation, the tribunal may direct that in addition to the amount of compensation simple interest shall also be paid. It was stated that simple interest is to be granted along with the compensation. But in this case the fixed amount of Rs.5,00,000/- was granted in a case of death as per the amendment and direction was given to deposit the amount in 60 days and it is complied in time, as such the appellant is not entitled for any interest.

5. Accordingly, appeal is ***dismissed***, confirming the order passed by the Tribunal.

Sd/-
(P SREE SUDHA)
JUDGE

VS
List No.: 1 Sl No.: 15