



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. 7692 OF 2025 (MV-I)

BETWEEN:

PRAVEEN KUMAR V
S/O. VENKATESH R
NOW AGED ABOUT 31YEARS,
R/AT. BURUJANAHATTI CIRCLE,
ALI MOHALLA, KONANHATTI CROSS,
CHITRADURGA TOWN -577 501

...APPELLANT

(BY SRI. N R RANGEGOWDA., ADVOCATE)

AND:

1. M. R. REVANASIDDAPPA
S/O.M. RUDRAPPA,
AGED MAJOR,
R/AT. TARALABALU CIRCLE,
SASALU VILLAGE,
HOLALKERE TALUK.
2. THE MANAGER,
CHOLAMANDALAM M.S. GENERAL INS CO. LTD.,
UNIT NO. 04, 9TH FLOOR,
LEVEL-06, GOLDEN HEIGHTS,
COMPLEX, 59TH 'C' CROSS ROAD,
4TH 'M' BLOCK, INDUSTRIAL SUBURB,
RAJAJINAGAR, BANGALORE-560 010.

...RESPONDENTS

(BY SRI. B. PRADEEP., ADVOCATE FOR R2,
V/O DATED 25.10.2025, NOTICE TO R1 IS D/W)

Digitally signed
by
PADMASHREE
SHEKHAR
DESAI

Location: High
Court of
Karnataka



THIS MFA IS FILED U/S.173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED 10.07.2025 PASSED IN MVC NO. 253/2024 ON THE FILE OF THE I ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, MACT-IV CHITRADURGA, 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 dated 10.07.2025 passed by the I Additional Senior Civil Judge & Addl. M.A.C.T. No.IV, at Chitradurga, in MVC No.253 of 2024.

2. The injured claimant, aged 30 years, doing electrical work, met with an accident on 13.01.2024, and filed a claim application claiming compensation of Rs.50,00,000/-. The Tribunal, considering the entire evidence on record, granted the compensation of Rs.3,88,577/- with interest at the rate of 6% per annum from the date of petition till deposit.

3. Aggrieved by the said order, this appeal is preferred by the appellant-claimant in which it is mainly contended that the Tribunal granted meagre amount under the head pain and suffering, though the petitioner sustained both bone fracture of



right leg, and the amounts granted under the other heads are also on lower side. Therefore, requested for enhancement of compensation.

4. Heard the arguments of learned counsel for both sides.

5. It is stated that petitioner was doing electrical work and earning Rs.30,000/- per month, but he has not filed any income proof. As he met with an accident in the year 2024, this Court finds it reasonable to take his notional income as Rs.16,500/- per month as per the chart prepared by Karnataka State Legal Services Authority. He was aged 30 years at the time of accident and the relevant multiplier is 17.

6. Exhibit P5 is the wound certificate and Exhibit P7 is the discharge summary. Petitioner also examined doctor as PW2 and he stated that petitioner sustained bone fracture of right leg and after discharge, he has taken follow up treatment in District Hospital, Chitradurga. It is stated that P.W.2 took X-ray to the right leg and assessed the mobility and stability components. It is further stated that petitioner is having



problem in the right lower limb and in this behalf, assessed the disability as 32.56% to the right lower limb and issued disability certificate under Exhibit P8. It is further stated that still there is rod and screw and they are not removed. Therefore, this Court finds it reasonable to take 1/3rd of disability assessed by the doctor, which comes to 11%. Thus, the loss of future earning capacity comes to Rs.3,70,260/- ($16,500 \times 12 \times 17 \times 11\%$). Petitioner has not produced any evidence regarding medical expenses and as such, no amount is granted under the said head.

7. The petitioner was hospitalised for a period of 8 days. Considering the nature of injuries, the period of hospitalisation and other relevant factors, this Court finds it reasonable to grant an amount of Rs.50,000/- for pain and suffering, Rs.30,000/- for loss of amenities, Rs.30,000/- for transportation, extra nourishment and attendant charges. Petitioner might not have attended any other work at least for a period of 3 months. Therefore Rs.49,500/- ($16,500 \times 3$) is granted under the head loss of income during the laid up period. Thus, in all, the petitioner is entitled for the



compensation of Rs.5,29,760/- with interest at 6% per annum as against Rs.3,88,577/- awarded by the Tribunal.

8. The award of compensation passed by the Tribunal is modified as under:

Heads	Amount in Rs.
1. Loss of future income	3,70,260/-
3. Pain and Suffering	50,000/-
4. Loss of amenities	30,000/-
5. Transportation, extra nourishment and attendant charges	30,000/-
6. Loss of earning during the laid up period	49,500/-
Total	5,29,760/-

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

(i) Appeal is allowed in part.

(ii) The appellant is entitled for the total compensation of Rs.5,29,760/- with interest at 6% per annum from the date of petition till the date of realization.

(iii) The respondent insurance company has already deposited the award amount before the Tribunal, and therefore, they are directed to deposit the enhanced amount of



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Rs.1,41,183 /- with interest at 6% per annum within one month from the date of this order.

(iv) On such deposit, the claimant is permitted to withdraw the entire amount along with the interest accrued on it.

Sd/-
(P SREE SUDHA)
JUDGE

CS
CT:NR
List No.: 1 Sl No.: 76