



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.8839 OF 2025(MV-D)

BETWEEN:

THE MANAGER,
ROYAL SUNDARAM GENERAL
INSURANCE CO. LTD.,
BRANCH OFFICE:133, 3RD FLOOR,
SHIKA TOWERS, RAMAVILAS ROAD,
MYSURU - 570 024.

REPRESENTED BY REGIONAL OFFICE:
NO.30, 3RD FLOOR, JNR CITY CENTRE,
RAJARAM MOHAN ROY ROAD,
SAMPANGIRAMA NAGAR,
BENGALURU - 560 027.

...APPELLANT

(BY SRI. RAVI SHANKAR S SAMPRATHI., ADVOCATE)

AND:

1. SRI. MOHAMMED SHARFUDDEN,
S/O SUGUMARN,
AGED ABOUT 37 YEARS,
RESIDING AT KALASESHWARA NAGARA,
MAVANAKERE VILLAGE,
KALASA POST AND VILLAGE,
NOW KALASA TALUK (MUDIGERE),
CHIKKAMAGALURU DISTRICT.



2. SMT. SHARIFA,
W/O MOHAMMED SHARFUDDEN,
AGED ABOUT 35 YEARS,
RESIDING AT KALASESHWARA NAGARA,
MAVANAKERE VILLAGE,
KALASA POST AND VILLAGE,
NOW KALASA TALUK (MUDIGERE),
CHIKKAMAGALURU DISTRICT.
3. SRI. HARISH K.N.,
S/O NAGESH ACHARI B.G.,
AGED ABOUT 35 YEARS,
RESIDING AT BETTUVALLI
KALAKODU VILLAGE, SAMSE,
KALASA HOBLI, MUDIGERE TALUK,
(NOW KALASA TALUK),
CHIKKAMAGALURU DISTRICT.
4. SRI. NAGESH ACHARI B.G.,
S/O LATE GOVINDACHAR,
AGED ABOUT 61 YEARS,
RESIDING AT BETTUVALLI
KALAKODU VILLAGE, SAMSE,
KALASA HOBLI, MUDIGERE TALUK,
(NOW KALASA TALUK),
CHIKKAMAGALURU DISTRICT.

...RESPONDENTS

(R1 AND R2 SERVED;
NOTICE TO R3 AND R4 DISPENSED WITH VIDE ORDER
DATED 05.12.2025)

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE
JUDGMENT AND AWARD DATED 02.09.2025 PASSED IN MVC
NO.133/2022 ON THE FILE OF THE SENIOR CIVIL JUDGE AND



JMFC, MACT, MUDIGERE, AWARDING COMPENSATION OF RS.17,16,715/- WITH INTEREST AT 6 PERCENT P.A. FROM THE DATE OF PETITION TILL AMOUNT IS DEPOSITED WITH THE TRIBUNAL.

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

CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA

ORAL JUDGMENT

This appeal is filed by the appellant-Insurance company under Section 173(1) of the Motor Vehicles Act, 1988, challenging judgment and award dated 02.09.2025 passed in MVC No.133/2022 by the Senior Civil Judge and JMFC, MACT, Mudigere, awarding the compensation of Rs.17,16,715/- with interest at 6% p.a. from the date of petition till its realization.

2. Heard the arguments of the learned counsel for the appellant. Notice to respondents No.3 and 4 is dispensed with vide order dated 5.12.2025. Notice though served to respondents No.1 and 2 they did not turn up therefore proceeded exparte.



3. Brief facts of the case are that, one Kum.Nafeeza, met with an accident on 31.01.2022 and subsequently died. Her parents filed claim petition claiming compensation of Rs.50,00,000/- along with interest. The tribunal considering the entire oral and documentary evidence on record awarded global compensation of Rs.17,16,715/- with interest rate of 6% per annum from date of petition till realization.

4. Being aggrieved by the said order, the appellant-insurance company preferred this appeal contending that the deceased was a minor girl aged about 9 years and Tribunal by relying on the decision of this Court in MFAC No.11440/2011 c/w MFA No.206/2018 between Kalshiminarayanapp @ Moogappa, vs. M/s Royal Sundaram Allianz Ins. Co. Ltd, and Others, disposed of on 12.9.2024, granted global compensation of Rs.17,16,715/- without assigning any reasons.

5. Though no reasoning was given by the Tribunal, considering the age of the child, the Tribunal has taken the notional income as per the recent citation and granted global compensation of Rs.17,16,715/-, and this Court finds no reason to interfere with the Judgment and award by the Tribunal.



NC: 2026:KHC:16504
MFA No. 8839 of 2025

6. Accordingly, the appeal is dismissed.

7. Amount already deposited by the insurance company is to be transferred to the concerned MACT.

Sd/-
(P SREE SUDHA)
JUDGE

HR
List No.: 1 Sl No.: 60