

IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 6TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

MISCELLANEOUS FIRST APPEAL NO.101317 OF 2017 (MV)

BETWEEN:

MR. PRAKASH RAMACHANDRA YEDAVI
AGE: 63 YEARS,
OCC: AGRICULTURIST AND BRICKS SELLING,
R/O: CHOUGALE NAGAR,
MACCHE VILLAGE, BELAGAVI-590001.

...APPELLANT

(BY SRI. LINGARAJ L. RATHOD, ADVOCATE FOR
SRI. SUBHASH J. BADDI, ADVOCATE)

AND:

1. THE MANAGING DIRECTOR,
NWKRTC HUBBALLI,
THROUGH IT'S DIVISIONAL CONTROLLER,
NWKRTC, BELAGAVI-590001.
2. MR.MICHAEL F. WAZ
AGE: MAJOR, OCC: BUSINESS,
R/O: LIG GANESH NAGAR,
DANDELI, TALUK HALIYAL,
UTTAR KANNADA-581325.
3. MR. PARASHURAM ARJUN GAONKAR
AGE: MAJOR, OCC: BUSINESS,
R/O: RAM NAGAR, TALUKA: JOIDA,
DIST: UTTAR KANNADA-581453.
4. LIBERTY VIDEOCON ORIENTAL INSURANCE,
KALBURGI SQUARE, I FLOOR, DESAI CROSS,
DESHPANDE NAGAR, HUBBALLI-580028.

...RESPONDENTS

(BY SRI. M.K. SOUDAGAR, ADVOCATE FOR R1;
NOTICE TO R2, R3 & R4-DISPENSED WITH)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER SECTION 173(1) OF THE MOTOR VEHICLE ACT 1988, PRAYING TO ALLOW THIS APPEAL BY ENHANCING THE COMPENSATION FROM RS.1,33,000/- TO RS.10,00,000/- BY MODIFYING THE JUDGMENT AND AWARD PASSED BY THE HON'BLE V ADDL. DISTRICT AND SESSIONS JUDGE AND MACT VI BELAGAVI DATED 31.08.2016 IN MVC NO.283/2015 IN THE INTEREST OF JUSTICE AND EQUITY.

THIS MFA HAVING BEEN HEARD AND RESERVED FOR JUDGMENT ON 30.01.2026 AND COMING ON FOR PRONOUNCEMENT THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: THE HON'BLE DR. JUSTICE K.MANMADHA RAO

CAV JUDGMENT

This appeal is filed by the claimant seeking enhancement of compensation awarded by the Court of the V Addl. District & Sessions Judge & MACT-VI, Belagavi, dated 31.08.2016 passed in MVC No.283/2015.

2. On 03.11.2014, the petitioner along with others was proceeding in an Innova Car bearing Registration No.KA-25-C-1296 from Ramnagar towards Belagavi on the Khanapur-Belagavi Road. When they reached near Ganebail Village at about 7.30 a.m., a NWKRTC Bus bearing Registration No. KA-22-F-1945, coming from the opposite direction, driven by its driver at a high speed and in a rash and negligent manner so as to endanger human life, lost

control and dashed against the car. Due to the impact, the petitioner sustained grievous injuries. Immediately after the accident, he was shifted to the District Hospital, Belagavi, where he took treatment as an inpatient from 03.11.2014 to 06.11.2014. It is the case of the petitioner that he incurred considerable medical expenses and is still under follow-up treatment. The accident occurred solely due to the rash and negligent driving of the driver of the NWKRTC Bus bearing Registration No. KA-22-F-1945. Hence, the petitioner filed a claim petition before the Motor Accident Claims Tribunal seeking compensation.

3. The Tribunal after assessing oral and documentary evidence, all the claim petition in part and awarded compensation of Rs.1,33,000/- with interest at the rate of 9% p.a. from the date of petition till the date of realization. Being aggrieved, the appellant-claimant has filed this appeal.

4. Learned counsel for the appellant-claimant argued the matter at length. However, after some

arguments, learned counsel for the appellant fairly submitted that the appellant would be satisfied if a global compensation of ₹25,000/- (Rupees Twenty-Five Thousand only), inclusive of interest, is awarded over and above the compensation already awarded by the Tribunal.

5. Learned counsel appearing for the respondent No.1-Corporation submits that respondent No.1 has no objection for awarding a global compensation of ₹25,000/- inclusive of interest, in full and final settlement of the claim.

6. In view of the joint submission made by the learned counsel appearing for both sides, this court proceeds to pass the following:

ORDER

- i) The appeal is allowed in part.
- ii) The judgment and award dated 31.08.2016 passed by the Court of the V Addl. District & Sessions Judge & MACT-VI, Belagavi, in MVC No.283/2015 is modified.

- iii) The appellant-claimant is entitled for a global sum of ₹25,000/- inclusive of interest over and above the compensation already awarded by the Tribunal.
- iv) Respondent No.1-Corporation is directed to deposit the said enhanced compensation of ₹25,000/- over and above the compensation already awarded by the Tribunal within six weeks from the date of receipt of a certified copy of this judgment.
- v) On deposit, the same shall be released to the appellant-claimant forthwith.

Sd/-
(DR. K.MANMADHA RAO)
JUDGE

MBS
CT:VP