IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

MISCELLANEOUS FIRST APPEAL NO. 102979 OF 2014 (MV-I)

BETWEEN:

PADMAVATI @ PADMA W/O MANJUNATH ACHARI,
AGED ABOUT : 37 YEARS,
OCC: AGRICULTURIST AND COOLIE,
R/O: HABBUVADA, KARWAR,
DIST: UTTAR KANNADA.

...APPELLANT

(BY SRI. D. J. NAIK, ADVOCATE)

AND:

1. GULAMOHIDDIN K. NAYAK S/O KHADARASAB,
R/O. HOUSE NO. 8826,
KARIGANNAVAR HAKKAL,
HUBLI – 580020.
(OWNER OF LORRY BEARING
REGISTRATION NO. KA25/B-5433)

2. THE DIVISIONAL MANAGER,
BAJAJ ALLIANZ GENERAL INSURANCE
COMPANY CO., LTD.,
DIVISIONAL OFFICE,
VIVEKNAND CORNER, DESAI CROSS,
HUBLI – 580029.

3. NARAYAN S/O MATTA NAIK,
AGE 45 YEARS,

CHANDRASHEKAR LAXMAN KATTIMANI
Digitally signed by CHANDRASHEKAR LAXMAN KATTIMANI
Location: High Court of Karnataka, Dharwad Bench
Date: 2026.03.06 04:49:50 +0000

R/O. MATTASARAMANE,
AT: KAIKINI, MURDESHWAR,
TQ: BHATKAL, DIST: UTTAR KANNADA.

4. THE DIVISIONAL MANAGER,
THE UNITED INDIA INSURANCE CO. LTD.,
DIVISIONAL OFFICE, KARWAR.

…RESPONDENTS

(BY SRI. M. K. SOUDAGAR, ADV. FOR R2,R4;
NOTICE TO R1 IS DISPENSED WITH;
NOTICE TO R3 IS SERVED)

THIS MFA IS FILED UNDER SECTION 173(1) OF MOTOR VEHICLES ACT, 1988, PRAYING TO SER ASIDE THE JUDGMENT AND AWARD DATED DATED 28-04-2014 PASSED IN M.V.C. NO. 222/2008 ON THE FILE THE II ND ADDL. M.A.C.T. AT KARWAR IN SO FAR AS DENYING THE COMPENSATION AS PRAYED BY ALLOWING THIS APPEAL WITH COST THROUGH OUT TO MEET THE ENDS OF JUSTICE AND EQUITY.

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

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

ORAL JUDGMENT

1. Learned counsel for the appellant submits that the appeal may be disposed of by awarding a global compensation of Rs.10,000/- over and above the compensation already awarded by the Tribunal, to be paid by respondent No.4 – Insurance Company, without any interest, and to that effect, a memo has been filed.

2. Learned counsel appearing for respondent No.4 – Insurance Company does not dispute the said submission.

3. In view of the above, the claimant is entitled to a global compensation of Rs.10,000/- over and above the compensation already awarded by the Tribunal, payable by respondent No.4 – Insurance Company, without any interest. However, the appeal, insofar as it relates to the other respondents, stands dismissed.

4. Accordingly, I proceed to pass the following:

ORDER

i) The appeal is disposed of.

ii) The judgment and award dated 28.04.2014 passed by the II Addl. MACT, Karwar, in MVC No.222/2008, is hereby modified.

iii) The claimant is entitled to a sum of Rs.10,000/- (Rupees Ten Thousand only) as global compensation, over and above the compensation already awarded by the Tribunal, without any interest.

iv) Respondent No.4 – Insurance Company is directed to deposit the aforesaid amount within a period of eight weeks from the date of receipt of a certified copy of this order.

v) The appeal, insofar as it relates to the other respondents, stands dismissed.

vi) The amount in deposit, if any, shall be transmitted to the Tribunal forthwith.

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

RSH, CT: CNB
List No.: 1 Sl No.: 7