



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

MISCL. FIRST APPEAL NO. 200212 OF 2023 (MV-I)

BETWEEN:

DHANRAJ S/O NARAYAN RATHOD,
AGE: 24 YEARS, OCC: LABOUR WORK,
R/O SEVALAL NAGAR TANDA WADI,
TQ. CHITTAPUR, DIST.KALABURAGI.

...APPELLANT

(BY SRI SANJEEV PATIL, ADVOCATE)

AND:

1. ANIL BHARMA PATIL S/O BHARMA PATIL,
AGE: MAJOR, OCC: BUSINESS,
R/O H.NO.364/2, PATIL GALLI,
ANGOL BELGAUM-590001.

2. THROUGH ITS DIVISIONAL MANAGER,
NATIONAL INSURANCE CO. LTD.,
OPP. KEB OFFICE, SVP MAIN ROAD,
KALABURAGI-585102.

...RESPONDENTS

(BY SRI DEEPAK V. BARAD, ADVOCATE FOR R2;
R1 NOTICE DISPENSED WITH)

THIS MFA IS FILED U/S 173(1) OF MV ACT, PRAYING TO,
A) MODIFY THE JUDGMENT AND AWARD DATED 5-11-2022





PASSED BY THE LEARNED SENIOR CIVIL JUDGE AND MACT AT CHITTAPUR IN MVC NO.664/2021 BY ENHANCING THE COMPENSATION AMOUNT AS PRAYED FOR. B) THE HON'BLE COURT BE PLEASED TO HOLD BOTH THE RESPONDENTS JOINTLY AND SEVERALLY LIABLE TO PAY THE ENHANCED COMPENSATION TO THE APPELLANT.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL/CAV JUDGMENT

This appeal is directed against the judgment and award dated 05.11.2022 in MVC No. 664 of 2021 passed by the Senior Civil Judge and MACT, Chittapur (for short, 'the Tribunal'), awarding compensation to the claimant.

2. For the sake of convenience, the parties in this appeal shall be referred to according to their status and ranking before the Tribunal.

3. I have heard Sri. Sanjeev Patil, learned counsel appearing for the appellant, and Sri. Deepak v. Barad,



learned counsel appearing for the respondent-Insurance Company. I have perused the records.

4. In the light of the arguments advanced by the learned counsel appearing for the parties, there is no dispute with regard to the occurrence of the road traffic accident on 11.03.2021. As a result of the said accident, the claimant sustained grievous injuries.

5. On perusal of the evidence of PW-2-Doctor, as referred to in paragraph 15 of the judgment, the Tribunal ought to have taken the disability at 20%. Having regard to the nature of injuries sustained by the claimant, as per the Wound Certificate (Ex.P6) and the Disability Certificate (Ex.P10), the award of compensation requires reassessment.

6. The accident occurred in the year 2021. As per the guidelines issued by the Karnataka State Legal Services Authority, the notional income of the



claimant is taken at Rs. 14,250/- per month. By applying the multiplier of 18, in terms of the judgment of the Hon'ble Supreme Court in the case of **Sarla Verma v. Delhi Transport Corporation**, reported in **(2009) 6 SCC 121**, and considering the disability at 20%, the claimant is entitled to compensation of Rs. 6,15,600/- ($14,250 \times 12 \times 18 \times 20\%$) towards loss of future income due to permanent disability.

7. Taking into consideration the nature of injuries sustained by the appellant-claimant, the compensation is reassessed under the following heads:

Heads	Amount (Rs.)
Pain and suffering	50,000
Medical expenses	82,836
Conveyance charges	25,000
Future Medical Expenses	20,000
Loss of income during treatment	85,500
Loss of future income due to permanent	6,15,600



Heads	Amount (Rs.)
disability	
Loss of future amenities	50,000
Total	9,28,936
Compensation awarded by the Tribunal	6,89,000
Enhanced compensation	2,39,936

8. After deducting the compensation already awarded by the Tribunal, the claimant is entitled to enhanced compensation of Rs. 2,39,936/- accordingly.

9. Thus, the claimant is entitled to a total compensation of Rs. 9,28,936/- with interest at 6% per annum from the date of petition till realization.

10. Accordingly, the appeal is ***allowed in part***. The judgment and award passed by the Tribunal is modified to the extent indicated above.

11. The respondent-Insurance Company is directed to deposit the entire compensation amount within a



NC: 2026:KHC-K:1796
MFA No. 200212 of 2023

period of six weeks from the date of receipt of a
certified copy of this order.

Sd/-
(E.S.INDIRESH)
JUDGE

SB
List No.: 1 Sl No.: 45
CT:PK