



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 4TH DAY OF FEBRUARY, 2026

BEFORE

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

MISCL. FIRST APPEAL NO. 200601 OF 2023 (MV-I)

BETWEEN:

HEMANTH @ HEMADREPPA CHAKRASALI
S/O SHANAMUKHAPPA,
AGE: 24 YEARS,
OCC: NOW NIL AFTER THE ACCIDENT,
R/O NARASAPUR, BADAMI BAGALKOT,
NOW RESIDING AT RAGHAVENDRA COLONY,
KALABURAGI-585103.

...APPELLANT

(BY SRI. ANAND TURE, ADVOCATE)

AND:

1. VADLAMUDI MAYADRI S/O SUBHA RAYUDU,
AGE: MAJOR, OCC: OWNER OF OFFENDING VEHICLE
LORRY BEARING NO.AP-27/TY-1279,
R/O D.NO.3-47, MAIN ROAD, SAKAVARAM,
VELETIVARIPALEM POKURU, PRAKASAM DISTRICT,
ANDHRA PRADESH-523113.

2. THE DIVISIONAL MANAGER,
NATIONAL INSURANCE COMPANY LTD,
OPP MINI VIDHANSOUDHA, STATION ROAD,
KALABURAGI-585101.

...RESPONDENTS

(BY SRI NARENDRA M. REDDY, ADVOCATE FOR R2;
V/O DTD.19.07.2023 NOTICE TO R1 IS DISPENSED WITH)





THIS MFA IS FILED UNDER SECTION 173(1) OF MOTOR VEHICLES ACT, PRAYING TO ALLOW THE APPEAL BY MODIFYING THE IMPUGNED JUDGMENT AND AWARD DATED 10.08.2022 PASSED BY THE LEARNED I ADDL. SENIOR CIVIL JUDGE AND MACT KALABURAGI IN MVC NO. 961/2020 AND CONSEQUENTLY BE PLEASED TO AWARD ENHANCED COMPENSATION TO THE APPELLANT HEREIN.

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

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

ORAL JUDGMENT

1. Heard learned counsel appearing for the parties.
2. This appeal is filed by the claimant, assailing the judgment and award dated 10.08.2022 in MVC No.961/2020, on the file of I Addl. Senior Civil Judge and MACT, Kalaburagi, seeking enhancement of compensation.



3. Having taken note of the submissions made by the learned counsel appearing for the parties and the finding recorded by the Tribunal would make it clear that there is no dispute as to occurrence of the accident on 20.11.2019. In so far as award of compensation is concerned, on careful consideration of the evidence of P.W.2 and the wound certificate at Ex.P5 as well as disability certificate at Ex.P11, makes it clear that the claimant has sustained grievous injuries and accordingly, the disability has to be taken at 15% to the whole body. In view of the fact that the accident is of the year 2019, the monthly income of the claimant has to be taken at Rs.13,250/- as per the guidelines of the Karnataka State Legal Services Authority. By applying the appropriate multiplier of 18, the claimant is entitled for compensation of Rs.4,29,300/- ($13250 \times 18 \times 15\% \times 18$) towards loss of future income.

4. Taking into account the discussion made above, as well as Ex.P11, the re-assessment of compensation is made as under:



Heads	Amount (in Rupees)
Pain and suffering	50,000.00
Loss of amenities	50,000.00
Loss of income during treatment (13,250 x 3)	39,750.00
Loss of future earnings	4,29,300.00
Towards diet and conveyance charges	20,000.00
Medical expenses	90,000.00
Future medical expenses	20,000.00
Total	6,99,050.00

5. In the result, I pass the following:

ORDER

- (i) The Miscellaneous First Appeal is allowed in part.
- (ii) The claimant is entitled for total compensation of Rs.6,99,050/- (as against Rs.5,22,100/- awarded by the Tribunal), with interest at 6% per annum from the date of claim petition till realization.



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(iii) In all other respects, the Judgment and Award passed by the Tribunal shall remain unaltered. Accordingly, the Judgment and Award dated 10.08.2022 in MVC No.961/2020, on the file of I Addl. Senior Civil Judge and MACT, Kalaburagi, shall stand modified.

Sd/-
(E.S.INDIRESH)
JUDGE

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List No.: 1 Sl No.: 34
CT:PK