



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

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

MISCL. FIRST APPEAL NO.201385 OF 2024 (MV-I)

BETWEEN:

BASAMMA
W/O MURGEPPA CHINNAVAR,
AGE: 57 YEARS, OCC: COOLIE, NOW NIL,
R/O PETH FIROZABAD,
TQ. & DIST. KALABURAGI, NOW AT KOLLUR,
TQ. CHITTAPUR, DIST. KALABURAGI.

...APPELLANT

(BY SMT. TABBASUM SULTANA, ADVOCATE)

AND:

THE MANAGING DIRECTOR, N.E.K.R.T.C.,
CENTRAL OFFICE, SARIGE SADAN,
MAIN ROAD, KALABURAGI-585 102.

...RESPONDENT

(BY SRI SUDHIRSINGH R. VIJAPUR, ADVOCATE)

THIS MFA IS FILED UNDER SECTION 173(1) OF THE
MOTOR VEHICLES ACT, PRAYING TO MODIFY THE IMPUGNED
JUDGMENT AND AWARD DATED 03.11.2023 IN MVC
NO.905/2022 ON THE FILE OF THE COURT OF THE SENIOR
CIVIL JUDGE AND MACT AT CHITTAPUR AND ALLOW THE





APPEAL TO ENHANCE THE COMPENSATION AMOUNT BY RS.5,00,000/- ONLY AS CLAIMED BY THE APPELLANT BEFORE THIS COURT AND ORDER FOR THE COST OF THIS APPEAL AND ETC.

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

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

ORAL JUDGMENT

Heard the learned counsel appearing for the parties.

2. This appeal is preferred by the claimant, seeking enhancement of compensation, assailing the judgment and award dated 03.11.2023 in MVC No.905/2022 on the file of the Senior Civil Judge and MACT, Chittapur, awarding compensation of Rs.4,45,600/- with interest at 6% p.a. from the date of petition till realisation by directing the respondent to deposit the same.

3. Having taken note of the submissions made by the learned counsel appearing for the parties, it is not in



dispute as to the occurrence of the accident on 03.06.2022.

4. Taking into consideration the injuries sustained by the claimant and the evidence of PW.2-doctor, I am of the view that, the Tribunal ought to have taken the disability to the extent of 20% instead of 16%. Since the accident is of the year 2022, as per the guidelines of the Karnataka State Legal Services Authority, the notional income of the claimant is to be taken at Rs.14,750/- per month. By applying the multiplier of 7, as per the age of the claimant mentioned in the medical records, the claimant is entitled for Rs.2,47,800/- ($\text{Rs.14,750} \times 12 \times 7 \times 20\%$) towards loss of future income.

5. Further, taking into consideration the injuries sustained by the claimant as per the wound certificate, the claimant is entitled for enhancement of compensation under other heads also.



6. Accordingly, the compensation awarded by the Tribunal is reassessed as follows:

Pain and suffering	Rs.50,000/-
Medical expenses	Rs.1,70,289/-
Future medical expenses	Rs.20,000/-
Loss of future income	Rs.2,47,800/-
Loss of income during laid up period (Rs.14,750 x 3)	Rs.44,250/-
Attendant and conveyance charges	Rs.20,000/-
Loss of amenities	Rs.50,000/-
Total	Rs.6,02,339/-
Less: awarded by the Tribunal	Rs.4,45,600/-
Enhancement:	Rs.1,56,739/-

Thus, the claimant is entitled for enhanced compensation of Rs.1,56,739/- with interest at 6% per annum.

7. In the result, I pass following:

ORDER

(i) The appeal is allowed in part.

(ii) The appellant/claimant is entitled for enhanced compensation of Rs.1,56,739/- with interest at 6% per annum from the date of petition till realization.



NC: 2026:KHC-K:1858
MFA No. 201385 of 2024

(iii) The respondent-Corporation is directed to deposit the said amount within six weeks from the date of receipt of a certified copy of this judgment.

Sd/-
(E.S.INDIRESH)
JUDGE

LG
List No.: 1 SI No.: 26