



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.201510 OF 2022 (ECA)

BETWEEN:

CHAND PASHA S/O MUQTARSAB SHAIK,
AGE: 48 YEARS, OCC: DRIVER, NOW NIL,
R/O ASHRAYA COLONY,
BASAVAKALYAN, DIST. BIDAR.

...APPELLANT

(BY SRI. SANJEEVKUMAR C. PATIL, ADVOCATE)

AND:

1. MULLA RABBANI S/O GAFUR,
AGE: MAJOR,
OCC: BUSINESS AND OWNER OF GRANDE CAR
NO.MH-24/V 7801,
R/O MIRGANHALLI POST, KASAR BALKUNDE,
TQ. NILANGA, DIST. LATUR-413 510,
MAHARASTRA STATE.

2. THE DIVISIONAL MANAGER,
UNITED INDIA INSURANCE CO. LTD.,
DR. JAWALI COMPLEX, SUPER MARKET,
KALABURAGI-585101.

...RESPONDENTS

(BY SRI SANJAY M. JOSHI, ADVOCATE FOR R2;
V/O DTD.11.08.2022 NOTICE TO R1 IS DISPNESED WITH)





THIS MFA IS FILED UNDER SECTION 30(1) OF EMPLOYEES COMPENSATION ACT, PRAYING TO MODIFY THE JUDGMENT AND AWARD DATED 13.08.2020 PASSED BY THE SENIOR CIVIL JUDGE AND COMMISSIONER FOR WORKMEN'S COMPENSATION, BASAVAKALAYN AT BASAVAKALAYN IN ECA NO.18/2016 AND ENHANCE THE COMPENSATION AMOUNT.

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 filed by the claimant, assailing the judgment and award dated 13.08.2020 in ECA No.181/2016, on the file of the Senior Civil Judge and Commissioner for Workmen's Compensation, Basavakalyan (hereinafter referred to as 'Commissioner'), awarding compensation.

3. Having taken note of the submission made by the learned counsel appearing for the parties, it is not in dispute that, the claimant, who was working as an



employee of respondent No.1, has sustained grievous injuries on account of the accident occurred on 22.05.2016. The claimant was inpatient for a period of eight days. The claimant has produced the medical bills to the tune of Rs.1,52,971/-.

4. By looking into the fact that, the claimant was hospitalized for a period of eight days and it is not in dispute that, the claimant was working with respondent No.1 and therefore, the claimant is entitled for additional salary for a period of six months. Accordingly, the claimant is entitled for Rs.28,800/- (Rs.8,000x60%x6). The claimant is also entitled for the medical expenditure to the tune of Rs.1,52,971/-. Accordingly the claimant is entitled for total compensation of Rs.1,81,771/-.

5. In the result, I pass the following:

ORDER

I) The appeal is allowed in part.



- II) The appellant/claimant is entitled for total compensation of Rs.1,81,772/- as against Rs.1,66,500/- awarded by the learned Commissioner with interest at the rate of 12% per annum from the date of the accident till realization.
- III) Respondent No.2 is directed to pay the compensation within a period of six weeks from the date of receipt of certified copy of this judgment.

Sd/-
(E.S.INDIRESH)
JUDGE

SRT
List No.: 1 Sl No.: 18
CT:PK