



IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 15TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MRS JUSTICE P SREE SUDHA

MISCL. FIRST APPEAL NO.201634 OF 2024 (MV-I)

BETWEEN:

YASEEN S/O ALLABAKSH BAGAWAN,
AGE: 21 YEARS, OCC: BUSINESS,
RESIDENT OF MANAGOLI,
TALUK: B. BAGEWADI,
NOW RESIDING AT JAL NAGAR,
VIJAYAPURA-586 101.

...APPELLANT

(BY SRI. SANGANAGOUDA V. BIRADAR, ADVOCATE)

AND:

1. RANJANA SHRAWAN THAKARE,
AGE: 42 YEARS, OCC: BUSINESS,
RESIDENT OF KHAKURDI,
TALUK: MALEGAON, DISTRICT: NASHIK,
MAHARASTRA-423 206.
2. THE MANAGER LEGAL/CLAIMS,
CHOLAMANDALAM GENERAL INSURANCE
COMPANY LIMITED, 1ST FLOOR,
V.A.KALABURAGI SQUARE,
DESHPANDE NAGAR,
DESAI CROSS, HUBBALLI-29.

...RESPONDENTS

(BY SRI. MANJUNATH MALLAYYA SHETTY, ADV. FOR R2;
V/O DTD. 19.06.2024, NOTICE TO R1 IS DISPENSED WITH)

Digitally
signed by
SUMITRA
SHERIGAR
Location:
HIGH
COURT OF
KARNATAKA



THIS MFA IS FILED UNDER SECTION 173(1) OF THE MOTOR VEHICLES ACT, PRAYING TO ALLOW THIS APPEAL AND ENHANCE THE COMPENSATION AS CLAIMED IN THE CLAIM PETITION BY MODIFYING THE JUDGMENT AND AWARD DATED 04.10.2023 PASSED BY THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE AND MEMBER MACT-V AT VIJAYAPURA IN MVC NO.1436/2022.

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

CORAM: HON'BLE MRS JUSTICE P SREE SUDHA

ORAL JUDGMENT

Though the appeal is listed for admission, with the consent of learned counsel for the parties, it is taken up for final disposal.

2. Heard the arguments of both sides.

3. This appeal is filed against the judgment and award dated 04.10.2023 passed by the Principal Senior Civil Judge and MACT-V, Vijayapura, in MVC No.1436 of 2022.

4. The facts of the case are that, on 17.06.2019, while the claimant was travelling in a Tum-Tum bearing registration No.KA-29/B-6374 proceeding from Managoli



side towards Vijayapura, the driver of the Bolero Pick-up vehicle bearing registration No.MH-41/AU-0423 drove it in high speed and rash and negligent manner and lost control over the same and thereby caused the accident, as a result of which, claimant sustained fractural injuries.

5. Therefore, he filed a claim petition before the Tribunal, claiming compensation of Rs.10,00,000/-. The Tribunal, considering the entire evidence on record, granted global compensation of Rs.25,000/- with interest at 6% p.a. from the date of petition till realisation and directed respondent No.2-Insurance Company to deposit the same.

6. Aggrieved by the said judgment and award, the injured claimant has preferred this appeal, in which it is contended that, the Tribunal has not granted any amount under other heads and interest is to be granted at 9%.

7. The perusal of the records also shows that, the appellant met with an accident on 17.06.2019 and



sustained cut lacerated wound over scalp and blunt injury to right elbow. As per Ex.P8, he was admitted to the hospital on 17.06.2019 and discharged on the same day and thus, he was hospitalised for only one day. The Tribunal has rightly considered the nature of injury and period of hospitalisation and granted global compensation of Rs.25,000/- and this Court finds no reason to interfere with the same.

8. In the result, the appeal is dismissed, confirming the judgment and award of the Tribunal.

sd/-
(P SREE SUDHA)
JUDGE

LG
List No.: 1 Sl No.: 75