



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 5TH DAY OF FEBRUARY, 2026

BEFORE

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

MISCL. FIRST APPEAL NO.201624 OF 2024 (MV-I)

BETWEEN:

N. VITHAL REDDY S/O THIMMAREDDY,
AGE: 63 YEARS, OCC: BUSINESS,
R/O. H.NO 9-17-55/2, NEAR LAXMI DEVI TEMPLE,
MADDIPET, RAICHUR-584 101.

...APPELLANT

(BY SRI SANGANAGOUDA V. BIRADAR, ADVOCATE)

AND:

1. YUVARAJ SALIMATA S/O PANCHAYYA SWAMY,
AGE: 33 YEARS, OCC: DRIVER OF CAR
BEARING REG. NO KA-36/M-6816,
R/O. MADIVALARA ONI, KALMALA,
TQ. AND DIST. RAICHUR-584 101.
2. MADIWALAR AYYAPPA S/O CHANNAPPA,
AGE: 64 YEARS, OCC: OWNER OF CAR
BEARING REG. NO KA-36/M-6816,
R/O. H.NO MIG-22, NIJALINGAPPA COLONY,
RAICHUR-584 101.
3. THE BRANCH MANAGER,
IFFICO-TOKIO GENREAL INSURANCE CO. LTD,
SITUATED AT TIMMAPUR RAILWAY, 3RD FLOOR
ABOVE KANVA MART, NEAR SVP CIRCLE,

Digitally signed
by LUCYGRACE
Location: HIGH
COURT OF
KARNATAKA



STATION ROAD, KALABURAGI- 585 101.

...RESPONDENTS

(BY SRI S.S. ASPALLI, ADVOCATE FOR R3;
NOTICE TO R1 HELD SUFFICIENT;
R2 SERVED)

THIS MFA IS FILED UNDER SECTION 173(1) OF THE MOTOR VEHICLES ACT, PRAYING TO ENHANCE THE COMPENSATION AMOUNT PAYABLE TO THE APPELLANT BY SUITABLY MODIFYING THE JUDGMENT AND AWARD DATED 24.11.2023 PASSED BY PRL. DISTRICT AND SESSION JUDGE AND MACT, RAICHUR IN MVC NO.229/2020.

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 assailing the judgment and award dated 24.11.2023 in MVC No.229/2020, on the file of the learned Principal District and Sessions Judge and MACT at Raichur (hereinafter referred to as 'Tribunal') awarding compensation.



3. Having taken note of the submission made by the learned counsel appearing for the parties, it is not in dispute as to the occurrence of the accident on 09.12.2019. The perusal of the wound certificate at Ex.P4 reflects that, the claimant has sustained fracture of right side multiple ribs and also surgical treatment was undergone by the claimant.

4. Though the learned counsel appearing for the appellant/claimant submitted that, the disability has to be taken into consideration based on the wound certificate, however, the same was opposed by the learned counsel representing the Insurance Company on the ground that, the treating doctor has been not examined to assess the disability. In that view of the matter, taking into consideration the injuries sustained by the claimant, particularly, as to the fracture of the right side rib of the claimant, I am of the view that, the claimant is entitled for global compensation of Rs.1,00,000/- in addition to the award made by the Tribunal.



5. In the result, I pass the following:

ORDER

- I. The appeal is allowed in part.
- II. The appellant/claimant is entitled for global compensation of **Rs.1,00,000/-** *in addition to the compensation awarded by the Tribunal, with interest at the rate of 6% per annum from the date of petition till the date of realization.
- III. Respondent No.3 - Insurance Company is directed to deposit the compensation amount within six weeks from the date of receipt of certified copy of this judgment.

Sd/-
(E.S.INDIRESH)
JUDGE

SRT
List No.: 1 Sl No.: 41
CT:PK

*Corrected vide chamber order dated 13/02/2026.