



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

MISC. FIRST APPEAL NO.201975 OF 2022 (MV-I)

BETWEEN:

NAGENDRAPPA @ NAGARAJ
S/O BASVANAPPA KOLKUNDI,
AGE: 39 YEARS,
OCC: DRIVER CUM AGRICULTURE, NOW NIL,
R/O TOTANHALLI, TQ. SEDAM, DIST.KALABURAGI,
NOW R/O SATNOOR TQ. CHITTAPUR,
DIST. KALABURAGI.

...APPELLANT

(BY SRI. KRUPA SAGAR PATIL, ADVOCATE)

AND:

1. C. S. RAGHOJI,
PROP: NANDKUMAR
AGE: MAJOR, OCC: OWNER OF THE VEHICLE,
NO.MH-12-LT-1689,
R/O RAGHOJI PHILIPS FACTORY,
RAJ BAUG LONI KALBHOR,
TQ. HAVELI, DIST.PUNE,
MAHARASHTRA-412 201.
2. THE NEW INDIA ASSURANCE CO. LTD.,
THROUGH ITS DIVISIONAL OFFICE AND MANAGER,
H.NO.10/2, 2ND FLOOR SANGMESHVAR COLONY,
KALABURAGI-585 102.

...RESPONDENTS

(BY SRI MANVENDRA REDDY, ADVOCATE FOR R2;
R1 SERVED)





THIS MFA IS FILED UNDER SECTION 173(1) OF THE MOTOR VEHICLES ACT, PRAYING TO MODIFY THE JUDGMENT AND AWARD DATED 17.03.2022, PASSED BY THE SENIOR CIVIL JUDGE AND MACT, CHITTAPUR, IN FILE BEARING MVC NO.165/2021, AND ALLOW THE CLAIM PETITION AS PRAYED FOR AND FIX THE ENTIRE LIABILITY TO PAY COMPENSATION AWARDED ON RESPONDENT NO.1 AND 2.

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

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

ORAL JUDGMENT

This appeal is preferred by the claimant seeking enhancement of compensation, challenging the judgment and award dated 17.03.2022 in MVC.No.165/2021 on the file of the Senior Civil Judge and MACT, at Chittapur, awarding compensation.



02. Having heard the learned counsel appearing for the parties, it is not in dispute that the claimant sustained grievous injuries on account of the accident occurred on 31.12.2020.

03. By looking into the nature of injuries sustained by the claimant as per Ex.P.5 and the disability at Ex.P.11, the Tribunal has rightly taken the disability at 30%. Since, the accident is of the year 2020, as per the guidelines of the Karnataka Legal Services Authority, the monthly income of the claimant would be Rs.13,750/-. By applying the appropriate multiplier of 16, claimant is entitled for Rs.7,92,000/- ($\text{Rs.13,750/-} \times 12 \times 16 \times 30\%$) towards loss of income.

04. By taking into consideration the claimant has sustained grievous injuries on account of the accident, the award of compensation as to the other heads is reassessed as under:-



Heads	Amount
Loss of future income	Rs.7,92,000/-
Pain and suffering	Rs.50,000/-
Loss of amenities	Rs.50,000/-
Loss of income during the laid up period (Rs.13,750/- x 4)	Rs.55,000/-
Medical expenses	Rs.1,34,000/-
Attendant charges	Rs.30,000/-
Conveyance charges	Rs.20,000/-
Total	Rs.11,31,000/-
Less: awarded by Tribunal	Rs.6,86,000/-
Enhancement	Rs.4,45,000/-

05. Thus, the clamant is entitled for enhanced compensation of **Rs.4,45,000/-** with interest at the rate of 6% per annum from the date of petition till its realization.

06. In the result, I pass the following:



ORDER

- I. The appeal is allowed in part.
- II. The appellant/claimant is entitled for enhanced compensation of **Rs.4,45,000/-** with interest at the rate of 6% per annum from the date of petition till the date of realization.
- III. Respondent No.2 - Insurance Company is directed to deposit the aforesaid compensation amount within six weeks from the date of receipt of certified copy of this judgment.
- IV. No interference is called for as to the liability fixed by the Tribunal.

Sd/-
(E.S.INDIRESH)
JUDGE

KJJ
List No.: 1 Sl No.: 45
CT:PK