



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

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

MISCL. FIRST APPEAL NO. 203047 OF 2023 (MV-I)

BETWEEN:

SATISH KUMAR S/O DATTAPPA JOGAD,
AGE: 35 YEARS, OCC: LECTURER,
R/O H.NO.179, STATION GANGAPUR ROAD,
BHAIRAMADAGI, TQ.AFZALAPUR,
DIST. KALABURAGI

...APPELLANT

(BY SMT. SRIDEVI J. TUPPAD, ADVOCATE)

AND:

1. SHAILAJA AMARANNAVAR
AGE: MAJOR, OCC: OWNER OF VEHICLE
KA-32-M-0638,
R/O PLOT 156, SY.NO.84/1, KARUNESHWAR NAGAR,
JEWARGI ROAD, OPPOSITE DOMINANT SCHOOL,
KALABURAGI-585103.

2. IFFCO TOKIO GENERAL INSURANCE
COMPANY LIMITED,
THROUGH ITS MANAGER,
3RD FLOOR, KISHAN KRUPA, STATION ROAD,
KALABURAGI-585102.

...RESPONDENTS

(BY SMT. PREETI PATIL MELKUNDI, ADVOCATE FOR R2;
V/O DTD. 11.10.2023 NOTICE TO R1 IS DISPENSED WITH)





THIS MFA IS FILED U/S 173(1) OF MV ACT, PRAYING TO
I) MODIFY THE JUDGMENT AND AWARD DTD.24-05-2023
ENHANCE THE COMPENSATION RS.13,10,600/- AS PRAYED BY
THE APPELLANT HEREIN M.V.C. NO.1163/2021 BY THE
HON'BLE COURT OF THE PRL. SENIOR CIVIL JUDGE AND MACT
AT KALABURAGI. BY ALLOWING THE APPEAL. II) ENHANCE
THE RATE OF INTEREST AWARDED FROM 6% TO 9% IN THE
ENDS OF JUSTICE. III) TO GRANT SUCH OTHER RELIEF AS
THIS HON'BLE COURT MAY DEEM FIT.

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

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

ORAL JUDGMENT

1. Heard the learned counsels for the parties.
2. This appeal is preferred by the claimant seeking enhancement of the compensation challenging the Judgment and award dated 24.05.2023 passed in MVC No.1163/2021 on the file of the Principal Senior Civil Judge and MACT, Kalaburagi (for short 'the Tribunal') awarding compensation.
3. For the sake of convenience, the parties will be referred to as per their ranking before the Tribunal.



4. Having taken note of the submission made by the learned counsels for the parties, there is no dispute as to the occurrence of the accident on 28.04.2021 in which the claimant has sustained grievous injuries. Perusal of the finding recorded by the Tribunal at paragraph No.11(iv) would certificate that the claimant is continuing as a Lecturer in the college, drawing salary more than the salary drawn at the time of the accident and therefore, the Tribunal has not awarded compensation towards loss of future earning capacity. In that view of the matter, the compensation with regard to the other heads are re-assessed as under:

Sl.No.	Heads of compensation	Amount
1	Medical bills	Rs.96,372/-
2	Loss of amenities	Rs.20,000/-
3	Pain and suffering	Rs.50,000/-
4	Diet and attendant charges	Rs.20,000/-
	Total	Rs.1,86,372/-

5. Accordingly, the following order:

ORDER

(i) The appeal is allowed in-part;



(ii) The claimant is entitled for total compensation of Rs.1,86,372/- along with interest at the rate of 6% per annum from the date of petition till the date of realization;

(iii) The respondent No.2 Insurance company is directed to deposit the compensation along with interest within a period of six weeks from the date of receipt of the copy of this order.

Sd/-
(E.S.INDIRESH)
JUDGE