



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. 204067 OF 2023 (MV-I)

C/W

MISCL. FIRST APPEAL NO. 201644 OF 2023 (MV-I)

IN MFA No. 204067/2023:

BETWEEN:

CHANDRASHEKHAR S/O BASWARAJ,
AGED ABOUT 29 YEARS, OCC:AGRICULTURE,
R/O YERNALLI VILLAGE,
TQ. AND DIST.BIDAR-585402.

...APPELLANT

(BY SMT. VEERANI V. NANDI, ADVOCATE)

AND:

1. VIJAYKUMAR S/O AMRUTHRAO VADDE,
AGE: MAJOR, OCC:BUSINESS,
R/O YERNALLI VILLAGE,
TQ. AND DIST.BIDAR-585402.
2. M/S UNITED INDIA INSURANCE CO. LTD.,
BRANCH OFFICE BASAVASHREE COMPLEX,
8-10-268 TO 273, 1ST FLOOR,
BEHIND GANESH MAIDAN, STADIUM ROAD,
BIDAR-585101,
REPRESENTED BY ITS AUTHORIZED SIGNATORY.

...RESPONDENTS

(BY SRI MOHD. ABDUL QUAYUM, ADVOCATE FOR R2;
V/O DTD.27.10.2025 NOTICE TO R1 IS DISPENSED WITH)





NC: 2026:KHC-K:1891
MFA No. 204067 of 2023
C/W MFA No. 201644 of 2023

THIS MFA IS FILED U/S. 173(1) OF MV ACT, PRAYING TO, A) CALL FOR THE RECORDS IN MVC NO. 296/2020 ON THE FILE OF THE COURT OF II ADDL. SENIOR CIVIL JUDGE AND JMFC AT BIDAR. B) MODIFY THE IMPUGNED JUDGMENT AND AWARD DATED 20-12-2022, PASSED BY THE COURT II ADDL. SENIOR CIVIL JUDGE AND JMFC AT BIDAR, IN MVC NO. 296/2020 AND CONSEQUENTLY ALLOW THE PRESENT APPEAL THEREBY ENHANCES THE COMPENSATION FROM RS. 4,43,300/- RS. 13,15,100/- AS CLAIMED IN THE PRESENT APPEAL. C) PASS AN ORDER AS TO COSTS OF THE PRESENT APPEAL. D) PASS SUCH OTHER ORDER/S AS THIS HON'BLE COURT DEEMS FIT TO GRANT IN THE CIRCUMSTANCES OF THE CASE.

IN MFA NO. 201644/2023:

BETWEEN:

M/S THE UNITED INDIA INSURANCE
COMPANY LIMITED,
BRANCH OFFICE, BASAVASHREE COMPLEX,
8-10-268 TO 273, 1ST FLOOR,
BEHIND GANESH MAIDAN,
STADIUM ROAD, BIDAR,
REPRESENTED BY ITS AUTHORIZED SIGNATORY,
DIVISIONAL OFFICE, OPP. SANGAM TALKIES,
SUPER MARKET, KALABURAGI-585101.

...APPELLANT

(BY SRI. MOHD ABDUL QUAYUM, ADVOCATE)

AND:

1. CHANDRASHEKHAR S/O BASWARAJ
AGE: 29 YEARS, OCC: AGRICULTURE,
R/O. VILLAGE YERNALLI,
TQ. BIDAR-585402.



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2. VIJAYKUMAR S/O AMRUTHRAO VADDE,
AGE: MAJOR, OCC: BUSINESS,
R/O. VILLAGE YERNALLI,
TQ. BIDAR-585 402,
(OWNER OF SPLENDOR PLUS MOTORCYCLE,
BEARING REGN. NO. KA39/K2624).

...RESPONDENTS

(BY SRI GANESH NAIK, ADVOCATE FOR R2)

THIS MFA IS FILED U/S 173(1) OF MV ACT, PRAYING TO-A) CALL FOR THE RECORDS IN M.V.C. NO. 296/2020 BY THE II ADDL. SENIOR CIVIL JUDGE AND JMFC AT BIDAR. B) SET ASIDE THE JUDGMENT AND AWARD DATED 20.12.2022 PASSED IN MVC NO. 296/2020 BY THE II ADDL. SENIOR CIVIL JUDGE AND JMFC AT BIDAR EXONERATING THE APPELLANT OF ITS LIABILITY. C) PASS ANY SUCH ORDER THAT THIS HON'BLE COURT DEEMS FIT UNDER THE FACTS AND CIRCUMSTANCE OF THE CASE.

THESE APPEALS, 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. These appeals are arising out of the Judgment and award 20.12.2022 passed in MVC No.296/2020 by the



II Additional Senior Civil Judge and JMFC Court, Bidar, (for short 'the Tribunal') awarding compensation to the claimant.

3. For the sake of convenience, the parties will be referred to as per their ranking before the Tribunal.

4. MFA No.204067/2023 is filed by the claimant seeking enhancement of the compensation and MFA No.201644/2023 filed by the Insurance company challenging the liability.

5. Sri.Mohd. Abdul Quayum, learned counsel appearing for the Insurance company submitted that, the driver of the vehicle in question do not possess valid driving licence and therefore, the finding recorded by the Tribunal requires to be interfered with. It is also argued that, a false case has been foisted in collusion with the owner of the vehicle in question and therefore, sought for interference of this Court.



6. Per contra, Smt. Veerani V. Nandi, learned counsel appearing for the claimant sought to justify the impugned Judgment and award as to the liability, however, sought for enhancement of the compensation.

7. In the light of the submission made by the learned counsel appearing for the parties, on careful examination of the police records, would indicate that, there is no dispute as to the occurrence of the accident on 13.06.2019 and the claimant sustaining grievous injuries.

8. Perusal of the MLC record would indicate that, there is no dispute as to the occurrence of the accident is concerned and also the charge-sheet has been laid against the driver of the vehicle in question. Therefore, the arguments advanced by the learned counsel appearing for the Insurance company cannot be accepted.

9. Insofar as the arguments advanced as to the fact that, the driver of the vehicle in question do not possess valid driving licence, on careful examination of the



finding recorded by the Tribunal would indicate that, the respondent No.1/owner of the vehicle has represented in the matter, however, the Insurance company has not taken any steps to summon the owner of the vehicle in question as to the liability is concerned.

10. In that view of the matter, I am of the opinion that the arguments advanced by the learned counsel appearing for the Insurance company cannot be accepted.

11. Insofar as the award of compensation is concerned, by considering the nature of the injuries sustained by the claimant as well as the evidence of the treating Doctor, the Tribunal ought to have taken the disability at 20%.

12. The accident is of the year 2019 and as per the guidelines of the Karnataka State Legal Services Authority, the monthly income of the injured/claimant would be Rs.13,250/- and by applying appropriate multiplier of '17' the claimant is entitled for Rs.5,40,600/- (Rs.13,250/- X



12 X 17 X 20%) towards loss of future income. By looking into the nature of the injuries, the compensation under other heads are re-assessed as under:

Sl.No.	Heads of compensation	Amount
1	Loss of future income	Rs.5,40,600/-
2	Pain and suffering	Rs.50,000/-
3	Loss of amenities	Rs.50,000/-
4	Diet and attendant charges	Rs.20,000/-
5	Hospital bills	Rs.63,500/-
6	Medical bills	Rs.30,703/-
7	Loss of income during laid up period	Rs.39,750/-
	Total	Rs.7,94,553/-

13. Accordingly, the following:

ORDER

(i) MFA No.204067/2023 is allowed in-part;

(ii) MFA No.201644/2023 is dismissed;

(iii) The claimant is entitled for total compensation of Rs.7,94,553/- along with interest at the rate of 6% per annum from the date of the petition till the date of realization;

(iv) The respondent No.2-Insurance company is directed to deposit the compensation



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amount along with interest within a period of six weeks from the date of receipt of copy of this order;

(v) The amount in deposit in MFA No.201644/2023 be transmitted to the Tribunal, forthwith;

(vi) As per the order dated 27.10.2025 passed in MFA No.204067/2023, the claimant is not entitled for interest for the delayed period of 149 days in filing the appeal.

Sd/-
(E.S.INDIRESH)
JUDGE

SVH
List No.: 1 Sl No.: 12
CT:PK