



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

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

MISCL. FIRST APPEAL NO. 200031 OF 2023 (MV-I)

BETWEEN:

SMT. SHEELA W/O ANANDKUMAR GOLA,
AGE: 47 YEARS, OCC: HOUSEHOLD AND TAILORING,
R/O BHIMNAGAR, JAGAT,
NOW R/ AT, PRASHANT NAGAR, RAJAPUR,
KALABURAGI

...APPELLANT

(BY SRI SANJEEV PATIL, ADVOCATE)

AND:

1. SANTOSH KUMAR S/O SHANTAPPA GOLA,
AGE: MAJOR, OCC: OWNER OF MOTORCYCLE,
BEARING NO.KA 32/EP-4789,
R/O UPPER LANE, BHIMNAGAR, JAGAT,
KALABURAGI-585101.

2. THE UNITED INDIA INSURANCE CO. LTD.,
II FLOOR, CENTURY COMPLEX,
OPP SANGAM TALKIES SUPER MARKET,
KALABURAGI-585102.

...RESPONDENTS

(BY SMT. ANURADHA M. DESAI, ADVOCATE FOR R2;
V/O DTD.25.01.2023 NOTICE TO R1 IS DISPENSED WITH)

THIS MFA IS FILED UNDER SECTION 173(1) OF THE
MOTOR VEHICLES ACT, PRAYING TO, A) EXERCISE ITS





APPELLATE JURISDICTION MODIFY THE JUDGMENT AND AWARD DATED 03.03.2020 PASSED BY THE LEARNED II ADDL. SENIOR CIVIL JUDGE AND MACT - AT KALABURAGI IN MVC NO. 528/2019 BY ENHANCING THE COMPENSATION AMOUNT AS PRAYED FOR. B) HOLD BOTH THE RESPONDENTS JOINTLY AND SEVERALLY LIABLE TO PAY THE ENHANCED COMPENSATION TO THE APPELLANTS.

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 assailing the Judgment and award dated 03.03.2020 passed in MVC No.528/2019 by the II Additional 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 31.10.2017. Looking into the



nature of the injuries and the evidence of P.W.2, the Tribunal ought to have taken the disability to the extent of 20%. The accident is of the year 2017 and following the guidelines issued by the Karnataka State Legal Services Authority, the monthly income of the claimant would be Rs.10,250/- and by applying appropriate multiplier of '14', the claimant is entitled for Rs.3,44,400/- (Rs.10,250/- X 12 X 14 X 20%) towards loss of future income.

5. By looking into the nature of the injuries sustained by the claimant, the award of compensation is re-assessed as under:

Sl.No.	Heads of compensation	Amount
1	Loss of future income	Rs.3,44,400/-
2	Pain and suffering	Rs.50,000/-
3	Attendant charges	Rs.20,000/-
4	Medical expenses	Rs.4,12,400/-
5	Loss of income during laid up period	Rs.41,000/-
6	Loss of amenities	Rs.50,000/-
	Total	Rs.9,17,800/-

6. Accordingly, the following:

ORDER

(i) The appeal is allowed in-part;



(ii) The claimant is entitled for total compensation of Rs.9,17,800/- 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 amount along with interest within a period of six weeks from the date of receipt of copy of this order;

(iv) As per the order dated 25.01.2023 the claimant is not entitled for interest for the delayed period of 173 days in filing the appeal.

Sd/-
(E.S.INDIRESH)
JUDGE