



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.200355 OF 2023 (MV-I)

BETWEEN:

SRINATH S/O LAKKAPPA NAVALEKAR
AGE: 27 YEARS, OCC: PVT. WORK,
R/O. GOBBUR (B), TQ. AFZALPUR,
DIST. KALABURAGI,
TQ. AND DIST. KALABURAGI-585 102.

...APPELLANT

(BY SRI HARSHAVARDHAN R. MALIPATIL, ADVOCATE)

AND:

1. VIJAYAKUMAR S/O YALLAPPA
AGE: 36 YEARS, OCC: DRIVER NEKRTC,
R/O. CHOUDAPUR VILLAGE,
TQ. AFZALPUR, DIST. KALABURAGI-585 301.
2. THE MANAGING DIRECTOR,
NEKSRTC, SARIGE SADAN, OPP. KBN HOSPITAL,
MAIN ROAD, KALABURAGI-585 102.

...RESPONDENTS

(BY SMT. PREETI PATIL MELKUNDI, ADVOCATE FOR R2;
NOTICE R1 DISPENSED WITH)



THIS MFA IS FILED UNDER SECTION 173(1) OF THE MOTOR VEHICLES ACT, PRAYING TO ALLOW THIS APPEAL AND ENHANCE THE COMPENSATION TO RS.12,02,200/- (EXCLUDING THE AMOUNT AWARDED BY THE TRIBUNAL) ALONG WITH INTEREST BY MODIFYING THE JUDGMENT AND AWARD OF THE II ADDL. SENIOR CIVIL JUDGE AND MACT-KALBURAGI, DATED 15.03.2021, IN MVC NO.1044/2019.

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 by the claimant seeking enhancement of compensation, assailing the judgment and award dated 15.03.2021 in MVC No.1044/2019, on the file of the learned II Additional Senior Civil Judge and Member MACT, Kalaburagi (hereinafter referred to as 'Tribunal'), awarding compensation.

3. Having taken note of the submission made by the learned counsel appearing for the parties and the



finding recorded by the Tribunal, it is not in dispute that, the claimant has sustained grievous injuries on account of road traffic accident occurred on 19.11.2018. The claimant has produced the wound certificate at Exs.P5 and P6 and the disability certificate at Ex.P13 and examined the treating doctor as PW2.

4. Taking into account the injuries sustained by the claimant, I am of the view that, the Tribunal ought to have taken the disability at 25%. It is also to be noted that, the accident is of the year 2018 and therefore, as per the guidelines issued by the Karnataka State Legal Services Authority, monthly income of the claimant would be Rs.11,750/-. By applying the appropriate multiplier of 18, the claimant is entitled for Rs.6,34,500/- (Rs.11,750x12x18x25%) towards loss of future income.

5. Taking into consideration the grievous injuries sustained by the claimant as per Exs.P5 and P6 and the disability certificate at Ex.P13, the award of compensation made by the Tribunal is reassessed as follows:



Heads	Amount
Pain and suffering	Rs.75,000/-
Loss of earnings during laid up period (Rs.11,750x6)	Rs.70,500/-
Loss of amenities	Rs.75,000/-
Loss of future of earnings	Rs.6,34,500/-
Towards food and nourishment and attendant charges	Rs.50,000/-
Towards conveyance charges	Rs.25,000/-
Medical expenses	Rs.9,98,400/-
Total	Rs.19,28,400/-
Less: awarded by Tribunal	Rs.14,97,800/-
Enhancement	Rs.4,30,600/-

Thus, the clamant is entitled for enhanced compensation of **Rs.4,30,600/-** with interest at the rate of 6% per annum.

6. 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.4,30,600/-** with interest at the rate of 6% per annum from the date of petition till the date of realization.

III. Respondent No.2 – Corporation 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 SI No.: 38
CT:PK