



**IN THE HIGH COURT OF KARNATAKA**

**KALABURAGI BENCH**

**DATED THIS THE 24<sup>TH</sup> DAY OF FEBRUARY, 2026**

**BEFORE**

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

**MISCL. FIRST APPEAL NO. 200715 OF 2024 (MV-I)**

**BETWEEN:**

VEERBHADRAPPA S/O IRANNA CHOUDRI,  
AGE: 50 YEARS,  
OCC: SUB CONTRACTOR AND AGRI. (NOW NIL),  
R/O SHAHAPUR, TQ. SHAHAPUR,  
DIST. KALABURAGI,  
NOW R/O CIB COLONY, KALABURAGI.

...APPELLANT

(BY SMT. SRIDEVI J. TUPPAD, ADVOCATE)

**AND:**

1. KIRAN  
S/O REVANSIDDAPPA KATTIMANI,  
AGE: 28 YEARS,  
OCC: DRIVER CUM OWNER OF VEHICLE,  
R/O PLOT NO.13, NEAR MALLIKARJUN TEMPLE,  
STATION ROAD, AMBIKA NAGAR,  
KALABURAGI-585103.
2. NATIONAL INSURANCE GENERAL INS. CO. LTD.,  
THROUGH ITS DIVISIONAL MANAGER,  
2<sup>ND</sup> FLOOR, BILGUNDI COMPLEX,  
OPP. MINI VIDHAN SOUDHA,  
STATION ROAD, KALABURAGI-585 103.

...RESPONDENTS

(BY SRI MOHD. ABDUL QUAYUM, ADVOCATE FOR R2;  
NOTICE TO R1 IS DISPENSED WITH)





THIS MFA IS FILED UNDER SECTION 173(1) OF THE MOTOR VEHICLES ACT, PRAYING TO I) MODIFY THE JUDGEMENT AND AWARD DATED 09.11.2023 ENHANCE THE COMPENSATION RS.15,00,000/- AS PRAYER BY THE APPELLANT HEREIN MVC NO.460/2018 BY THE HON'BLE COURT OF THE IV ADDL. SENIOR CIVIL JUDGE AND MACT AT KALABURAGI BY ALLOWING THE APPEAL. II) ENHANCE THE RATE OF INTEREST AWARDED FROM 6% TO 9%. III) TO GRANT SUCH OTHER RELIEFS 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**

Heard the learned counsel appearing for the parties.

2. This appeal is preferred by the claimant, seeking enhancement of compensation, assailing the judgment and award dated 09.11.2023 in MVC No.460/2018, on the file of IV Additional Senior Civil Judge and MACT at Kalaburagi, awarding compensation of Rs.6,41,490/- with interest at the rate of 6% p.a. from the date of petition till reasliation and directing respondent No.2-Insruace Company to deposit the same.



3. Having taken note of the submission made by the learned counsel appearing for the parties, there is no dispute as to the occurrence of the accident on 28.12.2017, in which the appellant has sustained grievous injuries.

4. By looking into the evidence of PW.2 and as the appellant was hospitalized for a period of six days, the Tribunal ought to have taken the disability to the extent of 30% to the whole body. Since the accident is of the year 2017, as per the guidelines of the Karnataka State Legal Services Authority, the notional income of the appellant is to be taken at Rs.10,250/- per month. Considering the age of the appellant, the appropriate multiplier applicable would be '14'. Thus, the appellant is entitled for Rs.5,16,600/- (Rs.10,250x12x14x30%) towards loss of future income.

5. Looking into the nature of the injuries sustained by the appellant, the compensation awarded by the



Tribunal under all heads is required to be re-assessed as follows:

|                                                         |                      |
|---------------------------------------------------------|----------------------|
| Pain and suffering                                      | Rs.50,000/-          |
| Medical expenses                                        | Rs.1,22,300/-        |
| Loss of future income                                   | Rs.5,16,600/-        |
| Loss of income during laid up period<br>(Rs.10,250 x 6) | Rs.61,500/-          |
| Food and conveyance charges                             | Rs.20,000/-          |
| Future medical expenses                                 | Rs.20,000/-          |
| Loss of amenities                                       | Rs.50,000/-          |
| Total                                                   | Rs.8,40,400/-        |
| Less: awarded by Tribunal                               | Rs.6,41,490/-        |
| <b>Enhancement:</b>                                     | <b>Rs.1,98,910/-</b> |

Thus, the appellant is entitled for enhanced compensation of Rs.1,98,910/- with interest at 6% per annum.

6. In the result, I pass following order is passed:

(i) The appeal is allowed in part.

(ii) The appellant/claimant is entitled for enhanced compensation of Rs.1,98,910/- with interest at 6% per annum from the date of petition till the date of realisation.



**NC: 2026:KHC-K:1857**  
**MFA No. 200715 of 2024**

(iii) Respondent No.2-Insurance Company is directed to deposit the said amount within six weeks from the date of receipt of a certified copy of this judgment.

**Sd/-**  
**(E.S.INDIRESH)**  
**JUDGE**

LG  
List No.: 1 Sl No.: 24