



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.204667 OF 2025 (MV-I)

BETWEEN:

N.E.K.R.T.C.,
THROUGH ITS MANAGING DIRECTOR,
CENTRAL OFFICE, KALABURAGI,
NOW REPRESENTED THROUGH
BY ITS CHIEF LAW OFFICER.

...APPELLANT

(BY SRI SHARANABASAPPA M. PATIL, ADVOCATE)

AND:

SUPRIT S/O BASAVARAJ BHUTALE,
AGED ABOUT 21 YEARS,
OCC: STUDENT AND MILK VENDING, NOW NIL,
R/O VILLAGE KATHALLI, TQ. HUMNABAD,
DIST. BIDAR-585 330.

...RESPONDENT

(BY SRI BABU H. METAGUDDA, ADVOCATE)

THIS MFA IS FILED UNDER SECTION 173(1) OF THE
MOTOR VEHICLES ACT, PRAYING TO MODIFY THE ORDER OF
THE TRIBUNAL AND SET ASIDE THE JUDGEMENT DATED
31.07.2025 IN MVC NO.368/2022 BEFORE THE COURT OF
SENIOR CIVIL JUDGE AND ADDL. MACT AT HUMNABAD.





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 Corporation, assailing the judgment and award dated 31.07.2025 in MVC No.368/2022 on the file of the Senior Civil Judge and Additional MACT, Humnabad, partly allowing the claim petition and awarding compensation to the claimant by directing the Corporation to deposit the compensation.

3. It is argued by the learned counsel appearing for the appellant-Corporation that, the compensation awarded by the Tribunal is required to be re-assessed, as the Tribunal has awarded exorbitant compensation to the claimant and therefore, sought for interference of this Court.



4. Per contra, Sri Babu H. Metagudda, learned counsel appearing for the respondent/claimant sought to justify the impugned judgment and award passed by the Tribunal.

5. In the light of the submissions made by the learned counsel appearing for the parties, it is not in dispute as to the occurrence of the accident on 28.07.2022, in which the claimant aged about 17 years sustained grievous injuries. In that view of the matter, in terms of the judgment of the Hon'ble Supreme Court in the case of ***Hitesh Nagjibhai Patel vs. Bababhai Nagjibhai Rabari & Anr.*** reported in ***2025 LiveLaw (SC) 871***, the assessment of compensation has to be made on par with the major claimants. Therefore, the compensation awarded by the Tribunal requires to be re-assessed.

6. The treating doctor has adduced evidence to the effect that, the claimant has sustained the disability to the extent of 29%. However, by looking into the nature of



injuries sustained by the claimant, I am of the view that, the Tribunal ought to have taken the disability at 15%. Since the accident is of the year 2022, the notional income of the claimant is to be taken at Rs.14,750/- per month and considering the age of the claimant, the appropriate multiplier would be '18'. Accordingly, the claimant is entitled for Rs.4,77,900/- (Rs.14,750 x 12 x 18 x 15%) towards loss of future income.

7. By looking into the injuries sustained by the claimant, the compensation awarded by the Tribunal under all heads is re-assessed as under:

Pain and suffering	Rs.50,000/-
Medical expenses	Rs.1,89,075
Loss of future income	Rs.4,77,900/-
Food and nourishment	Rs.20,000/-
Conveyance charges	Rs.20,000/-
Loss of amenities	Rs.50,000/-
Total	Rs.8,06,975/-

Thus, the claimant is entitled for total compensation of Rs.8,06,975/- as against Rs.8,46,688 awarded by the



Tribunal, with interest at 6% p.a. from the date of petition till realisation.

8. In the result, I pass the following:

ORDER

- i) The appeal is allowed in part.
- ii) The respondent/claimant is entitled for total compensation of Rs.8,06,975/- as against Rs.8,46,688/- awarded by the Tribunal, with interest at 6% p.a. from the date of petition till realisation.
- iii) The appellant-Corporation is directed to deposit the said amount within a period of six weeks from the date of receipt of a certified copy of this judgment.
- iv) The amount in deposit, if any, be transmitted to the Tribunal for disbursement.

Sd/-
(E.S.INDIRESH)
JUDGE