



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

MISCELLANEOUS FIRST APPEAL NO. 2658 OF 2026

(MV-I)

BETWEEN:

SMT. LAKSHMI @ LAKSHMAMMA
W/O SHIVARAMU
AGED ABOUT 59 YEARS
R/AT B R HULIVANA VILLAGE
KERAGODU HOBLI, MANDYA TALUK
MANDYA DISTRICT - 571 401.

...APPELLANT

(BY SRI ANUSHA NANDISH, ADVOCATE)

AND:

1. MR RANGANATHA
S/O MALIGEGOWDA
R/AT HANUMANTHAPURA VILLAGE
BELUR TALUK
HASSAN DISTRICT - 571 187.
2. THE BRANCH MANAGER
THE RELIANCE GENERAL INSURANCE CO LTD., NO.
No.28, 5TH FLOOR, CENTENARY BUILDING
EAST WING, M G ROAD
(NEAR CITY BANK)
BANGALORE - 560 001.

...RESPONDENTS

(BY SRI ASHOK N PATIL, ADVOCATE FOR R2
V/O DATED 16.04.2026, NOTICE TO R1 IS DISPENSED)





THIS MFA IS FILED U/S.173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED.02/09/2025 PASSED IN MVC No. 1110/2021 ON THE FILE OF THE II ADDL. SENIOR CIVIL JUDGE AND MACT AT MANDYA, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS APPEAL, COMING ON FOR ADMISSION THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL JUDGMENT

This appeal is filed by the claimant seeking enhancement of compensation awarded in judgment and award dated 02.09.2025 in MVC No.1110/2021 by the II Additional Senior Civil Judge and MACT, Mandya.

2. The appellant/claimant filed the claimant petition seeking compensation for injuries sustained in a road traffic accident which took place on 23.07.2019 due to rash and negligent driving of motor cycle bearing Regn. KA-09-EE-6495. The claimant lead evidence and the Tribunal appreciating the evidence on record has awarded compensation under the following heads:



| Sl.No. | Particulars | Amount Rs. |
|---------------|---|-----------------------|
| 01. | Medical expenses | 00000 |
| 02. | Loss of amenities and expectation of life | 15,000/- |
| 03. | Pain and suffering | 40,000/- |
| 04. | Nourishment | 25,000/- |
| 05. | Loss of income during laid up period | 42,000/- |
| 06. | Loss of future earnings | 2,03,280/- |
| | Total | 3,25,280/- |

3. The Tribunal has also awarded interest at 6% p.a. from the date of petition till deposit of the amount. The claimant has filed this appeal seeking enhancement of compensation.

4. Even though the appeal is listed for admission, it is taken up for final disposal with the consent of learned counsel for both the parties.

5. Heard learned counsel for the appellant and learned counsel for respondent No.2/insurer.



6. Learned counsel for the appellant would contend that claimant has sustained fracture of both bones of left fore arm upper third and she has been admitted in the hospital for 9 days and incurred medical expenses. The claimant has not produced medical bills and therefore, the medical expenses are not awarded. She contends that claimant was admitted for period of 9 days as per Ex.P7, discharge summary and she has sustained fracture, therefore, any nominal amount towards medical expenses has to be awarded. She further submits that the amount of compensation towards loss of amenities and expectation of life by the Tribunal is on lower side and seeks enhancement.

7. Learned counsel for respondent No.2 / insurer submits that compensation awarded by the Tribunal is just and proper. Since the medical bills are not produced, the claimant is not entitled for any compensation.

8. Having heard the learned counsel on both sides, the Court has perused the judgment and award.



9. The claimant has sustained fracture of both bones of left forearm upper third and she is taken as in-patient for 9 days. The very fact that claimant has sustained fracture and taken treatment itself indicate that she has incurred medical expenses. As the claimant has not produced any medical bills, nominal amount requires to be awarded towards medical expenses in a sum of Rs.10,000/-.

10. PW.2 – Doctor has assessed the disability of the claimant at 33% and the Tribunal has taken functional disability at 11%. Considering the same, amount awarded for loss of amenities and expectation of life in a sum of Rs.15,000/- is on lower side. The appellant/claimant is entitled to a sum of Rs.30,000/- towards loss of amenities and expectation of life. The compensation awarded under other heads is just and proper.

11. Considering the above aspects, the appellant/claimant is entitled for enhanced compensation of Rs.25,000/- with interest @ 6% p.a. from the date of



petition till realization. In view of the above, the following:

ORDER

- i) The appeal is allowed in part.
- ii) The appellant/claimant is entitled for enhanced compensation of Rs.25,000/- with interest @ 6% p.a. from the date of petition till realization.
- iii) Respondent No.2 – insurer shall deposit the enhanced compensation with interest within six weeks from this day, failing which it is liable to pay interest @ 9% p.a. from this day till payment.
- iv) Appellant/claimant is entitled to release of entire compensation amount.
- v) Appellant/claimant is not entitled for interest for the delayed period of 106 days in filing the appeal.

Sd/-
(SHIVASHANKAR AMARANAVAR)
JUDGE

DKB
List No.: 1 Sl No.: 55