



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

MISCELLANEOUS FIRST APPEAL NO 4263 OF 2021(MV-I)

BETWEEN:

CHIRANJEEVI @ M. CHIRANJEEVI
S/O MANJUNATHA @ T MANJUNATHA
NOW AGED ABOUT 24 YEARS
R/AT KATANAYAKANAHALLI
HIRIYUR TALUK - 577 599

...APPELLANT

(BY SRI. RANGEGOWDA N.R, ADVOCATE)

AND:

1. RAMESH N
S/O NALLEGOWDA
AGED MAJOR
R/O NEAR TAMIL SCHOOL
HULIYAR ROAD
HIRIYUR - 577 599
2. THE MANAGER
RELIANCE GENERAL INSURANCE CO.LTD.,
1ST FLOOR,
MAGANUR COMMERCIAL
COMPLEX, B.D ROAD,
CHITRADURGA - 577 501

...RESPONDENTS

(BY SRI. B. PRADEEP, ADVOCATE FOR R2,
NOTICE TO R1 IS DISPENSED WITH)





THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 20.05.2021 PASSED IN MVC NO. 334/2018 ON THE FILE OF THE SENIOR CIVIL JUDGE AND ADDITIONAL MACT, HIRIYUR, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL JUDGMENT

1. The claimant, being dissatisfied with the compensation of Rs.3,20,988/- awarded by the Tribunal, is in appeal.
2. The fact that the accident occurred and the further fact that the offending vehicle was insured is not in dispute.
3. The Tribunal, on assessment of evidence, has awarded the following sums as compensation:



Sl. No.	Particulars	Amount in (Rs.)
1.	Pain and sufferings	30,000
2.	Loss of future income	1,63,200
3.	Medical expenses	77,788
4.	Loss of income during the laid up period	30,000
5.	Conveyance, food, nourishment, attendant	10,000
6.	Loss of amenities in life	10,000
	Total	3,20,988

4. The Tribunal, on an analysis of the medical evidence, has concluded that the claimant has suffered permanent disability to the extent of 8%.

5. I have perused the evidence of the Doctor - PW.2 and the wound certificate/disability certificate. The same depicts that the claimant has suffered fracture of lower 3rd of right fibula and fracture of distal end of right radius. He was operated for the injuries with BB ORIF & LCP SA ORIEF with plating.



6. Since the Doctor has assessed the disability to the whole body at 24%, based on the nature and gravity of the injuries sustained by the claimant it would be just and appropriate to assess the disability at 10%. Accordingly, the disability suffered by the claimant would be at 10%

7. The Tribunal has determined the monthly income, notionally at Rs.10,000/-. Since there is no credible documentary evidence to ascertain the actual monthly income, it would be appropriate and prudent to adopt the monthly income determined by Karnataka State Legal Services Authority, which, for the accident of the year 2017, would be Rs.11,000/-.

8. As the claimant was aged 26 years, a multiplier of '17' would have to be applied. Consequently, the claimant would be entitled to a sum of **Rs.2,24,400/-** (11,000 x 12 x 17 x 10%) towards '*loss of future income*'.

9. As a consequence, the amount of Rs.30,000/- awarded by the Tribunal towards '*loss of income during*



the laid up period' would also stand enhanced to **Rs.33,000/-** (11,000 X 3 months).

10. Having regard to the injuries suffered by the claimant, the claimant would be entitled to a sum of **Rs.45,000/-** towards '*pain and suffering*' as against Rs.30,000/- awarded by the Tribunal.

11. Having regard to the lasting effects of the injuries on the claimant, the claimant would be entitled to a sum of **Rs.30,000/-** towards loss of amenities, as against the sum of Rs.10,000/- awarded by the Tribunal.

12. Having regard to the nature of the injury suffered, its continues effect on the health of the claimant and his future treatment the claimant would also be entitled to '*Future Medical Expenses*' of **Rs.10000/-**.

13. The sum awarded as medical expenses at **Rs.77,788/-**, being based on documentary evidence, do not call for modification and hence confirmed.



14. The sum awarded under the head '*conveyance, food and nourishment and attendant charges*' by the Tribunal, remains unaltered.

15. Consequently, the award of the Tribunal is modified and the claimant would be entitled to the following compensation:

Sl. No.	Compensation under different Heads	As awarded by the Tribunal (Rs.)	As awarded by this Court (Rs.)
1.	Pain and sufferings	30,000	45,000
2.	Loss of future income	1,63,200	2,24,400
3.	Medical expenses	77,788	77,788
4.	Future medical expenses	--	10,000
5.	Loss of income during the laid up period	30,000	33,000
6.	Conveyance, food, nourishment, attendant charges	10,000	10,000
7.	Loss of amenities in life	10,000	30,000
	Total	3,20,988	4,30,188



16. Thus, the claimant is held entitled to the total compensation of **Rs.4,30,188/-** as against Rs.3,20,988/-, along with interest at the rate of 6% per annum from the date of petition till its realization.

17. The Insurance Company is directed to deposit the amount of compensation awarded within six weeks from the date of receipt of a certified copy of this judgment.

The appeal is accordingly ***allowed in part.***

SD/-
(RAJESH RAI K)
JUDGE

CR
List No.: 1 Sl No.: 51