IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 25TH DAY OF SEPTEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S. KINAGI

MISCELLANEOUS FIRST APPEAL NO. 103608 OF 2018 (MV-I)

C/W

MISCELLANEOUS FIRST APPEAL NO. 103609 OF 2018 (MV-I)

MISCELLANEOUS FIRST APPEAL NO. 103610 OF 2018 (MV-D)

MFA CROSS OBJ NO. 100077 OF 2023 (MV-D)

MFA CROSS OBJ NO. 100078 OF 2023 (MV-D)

MFA CROSS OBJ NO. 100079 OF 2023 (MV-D)

IN MFA No. 103608/2018

BETWEEN:

1. THE DIVISIONAL MANAGER
M/S. NATIONAL INDIA ASSURANCE
COMPANY LIMITED, PARVATHI NAGAR,
OPP. GANESH PETROL BUNK,
BALLARI-583101, NOW REP BY ITS
AUTHORISED SIGNATORY.

...APPELLANT

(BY SRI. RAJASHEKHAR S ARANI., ADV)

MOHANKUMAR B SHELAR

Digitally signed by MOHANKUMAR B SHELAR
Date: 2025.09.27 11:23:33 +0530

AND:

1. MINOR Y T LATHA D/O SMT.NAGAMMA
AGED 18 YEARS, OCC: STUDENT,
R/O: KENCHAMALLANAHALLI VILLAGE,
KUDLIGI TALUK, DIST: BALLARI-583135

2. SRI. PAVAN KUMAR S/O SULTHAN SINGH
AGE: 33 YEARS, OCC: DRIVER OF LORRY
BEARING NO.HR-61/6815, R/O: VPO,
BHURAWAS JHAJJAR TQ & DIST-124103.

3. SRI. S.H. NASIB SINGH S/O SH RAMPHAL
AGE: 42 YEARS, OCC: OWNER OF THE LORRY
BEARING HR 61/C-6815, R/O: H.NO.78,

VILL BHURAWAS, THE TOSHAM,
BHIWANI DISTRICT-124103.

…RESPONDENTS

(BY SRI. HANUMANTHAREDDY SAHUKAR, ADV FOR R1,
NOTICE TO R2 IS DISPENSED WITH & R3 IS SERVED)

THIS MFA IS FILED U/SEC. 173(1) OF MV ACT, 1988, AGAINST THE JUDGMENT AND AWARD DATED 28.06.2018 PASSED IN MVC NO. 633/2016 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE CUM MEMBER, MOTOR ACCIDENT CLAIMS TRIBUNAL NO-III AT BALLARI, AWARDING COMPENSATION OF RS.2,05,000/- WITH INTEREST AT 9% P.A. FROM THE DATE OF PETITION TILL ITS REALISATION.

IN MFA NO. 103609/2018

BETWEEN:

1. THE DIVISIONAL MANAGER
M/S. NATIONAL INDIA ASSURANCE
COMPANY LIMITED, PARVATHI NAGAR,
OPP. GANESH PETROL BUNK, BALLARI,
NOW REPRESENTED BY ITS
AUTHORISED SIGNATORY-583101.

...APPELLANT

(BY SRI. RAJASHEKHAR S ARANI., ADV)

AND:

1. SRI. MALLIKARJUNA S/O SRI AJJAPPA
AGED 42 YEARS, OCC: DHOBHI,
R/O: KENCHAMALLANAHALLI VILLAGE,
KUDLIGI TALUK, DIST: BALLARI-583135.

2. SRI. PAVAN KUMAR S/O SULTHAN SINGH
AGE: 33 YEARS, OCC: DRIVER OF LORRY
BEARING NO.HR-61/6815, R/O: VPO,
BHURAWAS JHAJJAR TQ & DIST.

3. SRI. S.H. NASIB SINGH S/O SH RAMPHAL
AGE: 42 YEARS, OCC: OWNER OF THE
LORRY BEARING HR 61/C-6815,

R/O: H.NO.78, VILL BHURAWAS,
THE TOSHAM, BHIWANI DISTRICT-124103.

...RESPONDENTS

(BY SRI. HANUMANTHAREDDY SAHUKAR, ADV FOR R1,
NOTICE TO R2 IS DISPENSED WITH & R3 IS SERVED)

THIS MFA IS FILED U/SEC. 173(1) OF MV ACT, 1988, AGAINST THE JUDGMENT AND AWARD DATED 28.06.2018 PASSED IN MVC NO. 634/2016 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE CUM MEMBER, MOTOR ACCIDENT CLAIMS TRIBUNAL NO-III AT BALLARI, AWARDING COMPENSATION OF RS.5,06,500/- WITH INTEREST AT 9% P.A. FROM THE DATE OF PETITION TILL ITS REALISATION.

IN MFA NO. 103610/2018

BETWEEN:

1. THE DIVISIONAL MANAGER
M/S. NATIONAL INDIA ASSURANCE
COMPANY LIMITED, PARVATHI NAGAR,
OPP. GANESH PETROL BUNK, BALLARI,
NOW REPRESENTED BY ITS
AUTHORISED SIGNATORY-583101.

...APPELLANT

(BY SRI. RAJASHEKHAR S ARANI, ADV)

AND:

1. SRI. MALLIKARJUNA S/O SRI.AJJAPPA
AGED 42 YEARS, OCC: STUDENT,
R/O: KENCHAMALLANAHALLI VILLAGE,
KUDLIGI TALUK, DIST: BALLARI-583135.

2. SMT. NAGAMMA W/O MALLIKARJUNA
AGED 37 YEARS, OCC: HOUSEWIFE,
R/O: KENCHAMALLANAHALLI VILLAGE,
KUDLIGI TALUK, DIST: BALLARI-583135.

3. SRI. PAVAN KUMAR S/O SULTHAN SINGH
AGE: 33 YEARS, OCC: DRIVER OF LORRY
BEARING NO.HR-61/6815, R/O: VPO,
BHURAWAS JHAJJAR TQ & DIST-124103.

4. SRI. S.H. NASIB SINGH S/O SH RAMPHAL
AGE: 42 YEARS, OCC: OWNER OF THE
LORRY BEARING HR 61/C-6815,
R/O: H.NO.78, VILL BHURAWAS,
THE TOSHAM, BHIWANI DISTRICT-124103.

...RESPONDENTS

(BY SRI. HANUMANTHAREDDY SAHUKAR, ADV FOR R1 & R2,
NOTICE TO R3 IS DISPENSED WITH & R4 IS SERVED)

THIS MFA IS FILED U/SEC. 173(1) OF MV ACT, 1988, AGAINST THE JUDGMENT AND AWARD DATED 28.06.2018 PASSED IN MVC NO. 635/2016 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE CUM MEMBER, MOTOR ACCIDENT CLAIMS TRIBUNAL NO-III AT BALLARI, AWARDING COMPENSATION OF RS.9,81,000/- WITH INTEREST AT 9% P.A. FROM THE DATE OF PETITION TILL ITS REALISATION.

IN MFA.CROB NO. 100077/2023

BETWEEN:

1. Y T LATHA D/O. NAGAMMA
AGE 23 YEARS, OCC STUDENT
R/O. KENCHAMALLANAHALLI VILLAGE
TQ KUDLIGI, DIST BALLARI
PRESENTLY R/O. HAMPAMMA COMPOUND
S.G. COLLEGE ROAD, BALLARI-583101

...CROSS OBJECTOR

(BY SRI. HANUMANTHAREDDY SAHUKAR., ADV)

AND:

1. SRI PAVAN KUMAR S/O. SULTHAN SINGH
AGE 38 YEARS OCC DRIVER OF THE LORRY
HR-61 C-6815 R/O. H.NO. 78,
VILL BHURAWAS THE TOSHAM
BHIWANI DISTRICT STATE OF HARIYANA-802119.

2. SRI. S. H. NASIB SINGH
S/O. S.H. RAM PHAL, AGE 47 YEARS
OCC DRIVER OF THE LORRY HR-61 C-6815
R/O. H.NO. 78, VILL BHURAWAS THE TOSHAM
DIST. BHIWANI STATE OF HARIYANA-802119.

3. THE DIVISIONAL MANAGER
M/S NATIONAL INDIA ASSURANCE CO. LTD.,
PARVATHI NAGAR, OPPOSITE GANESH
PETROL BUNK BALLARI-583101

...RESPONDENTS

(BY SRI. RAJASHEKAR S. ARANI, ADV FOR R3,
NOTICE TO R1 & R2 ARE DISPENSED WITH)

THIS MFA.CROB IN MFA NO.103608/2018 IS FILED UNDER ORDER 41 RULE 22 OF CPC, 1908, AGAINST THE JUDGMENT AND AWARD DATED 28.06.2018 PASSED IN MVC NO. 633/2016 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE CUM MOTOR ACCIDENT CLAIMS TRIBUNAL-III, BALLARI, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

IN MFA.CROB NO. 100078/2023

BETWEEN:

1. SRI. MALLIKARJUN S/O. SRI, AJJAPPA,
AGE 47 YEARS, OCC. DHOBI,
R/O. KENCHAMMALLANAHALLI VILLAGE
TQ KUDLIGI DIST BALLARI
PRESENTLY R/O. HAMPAMMA COMPOUND
S.G. COLLEGE ROAD, BALLARI—583101

2. SMT. NAGAMMA W/O. MALLIKARJUNA
AGE 42 YEARS, OCC HOME MAKER
R/O. KENCHAMMALLANAHALLI VILLAGE
TQ KUDLIGI, DIST BALLARI

PRESENTLY R/O. HAMAPAMMA COMPOUND
S.G. COLLEGE ROAD, BALLARI-583101

...CROSS OBJECTOR

(BY SRI. HANUMANTHAREDDY SAHUKAR., ADV)

AND:

1. SRI PAVAN KUMAR, S/O. SULTHAN SINGH, AGE. 38 YEARS, OCC. DRIVER OF THE LORRY HR-61 C-6815 R/O. H.NO. 78, VILL BHURAWAS THE TOSHAM BHIWANI DIST. STATE OF HARIYANA-802119.

2. SRI. S. H. NASIB SINGH
S/O. S.H. RAM PHAL AGE 47 YEARS
OCC DRIVER OF THE LORRY HR-61 C-6815
R/O. H.NO. 78, VILL BHURAWAS THE
TOSHAM BHIWANI DISTRICT
STATE OF HARIYANA-802119.

3. THE DIVISIONAL MANAGER
M/S NATIONAL INDIA ASSURANCE
CO LTD., PARVATHI NAGAR,
OPPOSITE GANESH PETROL
BUNK, BALLARI-583101

...RESPONDENTS

(BY SRI. RAJASHEKAR S. ARANI, ADV FOR R3,
NOTICE TO R1 & R2 ARE DISPENSED WITH)

THIS MFA.CROB IN MFA NO.103610/2018 IS FILED UNDER ORDER 41 RULE 22 OF CPC. 1908, AGAINST THE JUDGMENT AND AWARD DATED 28.06.2018 PASSED IN MVC NO. 635/2016 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE CUM MOTOR ACCIDENT CLAIMS TRIBUNAL-III, BALLARI, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

IN MFA.CROB NO. 100079/2023

BETWEEN:

1. SRI. MALLIKARJUNA S/O. SRI, AJJAPPA
AGE 47 YEARS, OCC DHOBI
R/O. KENCHAMMALLANAHALLI VILLAGE
TQ KUDLIGI, DIST BALLARI
PRESENTLY R/O. HAMPAMMA COMPOUND
S.G. COLLEGE ROAD, BALLARI--583101

...CROSS OBJECTOR

(BY SRI. HANUMANTHAREDDY SAHUKAR., ADV)

AND:

1. SRI PAVAN KUMAR S/O. SULTHAN SINGH
AGE 38 YEARS, OCC DRIVER OF THE
LORRY HR-61 C-6815, R/O. H.NO.78,
VILL BHURAWAS THE TOSHAM
BHIWANI DIST. STATE OF HARIYANA-802119.

2. SRI. S. H. NASIB SINGH
S/O. S.H. RAM PHAL, AGE 47 YEARS
OCC DRIVER OF THE LORRY HR-61 C-6815
R/O. H.NO. 78, VILL BHURAWAS
THE TOSHAM BHIWANI DISTRICT
STATE OF HARIYANA-802119.

3. THE DIVISIONAL MANAGER
M/S NATIONAL INDIA ASSURANCE CO. LTD.,
PARVATHI NAGAR, OPPOSITE GANESH
PETROL BUNK, BALLARI-583101

...RESPONDENTS

(BY SRI. RAJASHEKAR S. ARANI, ADV FOR R3,
NOTICE TO R1 & R2 ARE DISPENSED WITH)

THIS MFA.CROB IN MFA NO.103609/2018 IS FILED UNDER ORDER 41 RULE 22 OF CPC., AGAINST THE JUDGMENT AND AWARD DATED 28.06.2018 PASSED IN MVC NO. 634/2016 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE CUM MOTOR ACCIDENT CLAIMS TRIBUNAL NO-III AT BALLARI, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THESE APPEALS AND CROSS-OBJECTIONS, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S. KINAGI

ORAL JUDGMENT

These appeals and cross-objections are arising out of a common judgment and award dated 28.06.2018 passed in MVCs No.633/2016 to 635/2016 by the learned Principal Senior Civil Judge –cum- Motor Accident Claims Tribunal No.III, Ballari ('Tribunal' for short).

2. Brief facts leading rise to the filing of these appeals and cross-objections are as follows:

2.1. On 01.04.2016, the petitioner in MVC No.633/2016 and the deceased in MVC No.635/2016 being the pillion-riders and the petitioner in MVC No.634/2016 being the rider of the motorcycle bearing Reg.no.KA-35/Q-7516, were proceeding from Kenchamallanahalli Village towards Khanamadagu Government High School for writing SSLC examination. When they reached near Alur on NH-13, a lorry bearing Reg.No.HR-61/C-6815 came

from Chitradurga with high speed in a rash and negligent manner and dashed to the motorcycle. As a result, the petitioners in MVCs no.633/2016 and 634/2016 have sustained grievous injuries and the deceased in MVC No.635/2016 suffered injuries and succumbed to the injuries. The petitioners in MVC No.635/2016 being the legal representatives of the deceased and the petitioners in other claim petitions filed the claim petitions under Section 166 of the Motor Vehicles Act, 1988 seeking compensation on account of injuries and the death in a road traffic accident.

3. Respondents No.1 and 2 – the driver and the owner have filed the statement of objections admitting the petition averments regarding the accident in question and the fact that respondent No.1 was the driver and respondent No.2 was the owner of the lorry. It is contended that, the driver of the lorry was possessing a valid and effective driving license as of the date of accident and the offending vehicle was insured with

respondent No.3 – Insurance Company. Hence, pray to dismiss the claim petition against the owner and driver of the lorry.

4. Respondent No.3 – Insurance Company filed a statement of objections denying the averments made in the claim petition and contended that, the driver of the offending lorry did not possess a valid and effective driving license as of the date of accident. There is a breach of policy condition. Hence, prays to dismiss the claim petition against the Insurance Company.

5. The Tribunal clubbed all the claim petitions, framed the separate issues and recorded common evidences.

6. The petitioners, to substantiate their case, the natural mother and guardian of the petitioner in MVC No.633/2016, the petitioner in MVC No.634/2016, petitioner No.1 in MVC No.635/2016 were examined as PWs-1 to 3 respectively, the Doctor was examined as

PW-4 and 5, and marked 42 documents as Exs.P1 to P42. In rebuttal, the Insurance Company examined its Officer as RW-1 and marked 2 documents as Exs.R1 and R2.

7. The Tribunal, after assessing the verbal and documentary evidence, allowed the claim petitions in part with costs and awarded compensation amounts of Rs.2,05,000/- in MVC No.633/2016, Rs.5,06,500/- in MVC No.634/2016 and Rs.9,81,000/- in MVC No.635/2016 with interest at the rate of 9% p.a. from the date of petitions till the realisation and directed the Insurance Company to deposit the compensation amount. The claim petitions were dismissed against the owner and the driver of the offending vehicle.

8. The Insurance Company, aggrieved by the impugned judgment and awards, preferred appeals in MFAs No.103608/2018, 103609/2018 and 103610/2018 challenging the liability and the quantum of compensations. The petitioners, being dissatisfied with

the quantum of compensations, preferred cross-objections in MFA CROBs No.100077/2023, 100078/2023 and 100079/2023.

9. Heard the arguments of learned counsel for the Insurance Company and learned counsel for the petitioners.

10. Learned counsel for the Insurance Company submits that, the rider of the motorcycle had also contributed for the cause of accident. The accident had caused due to the composite negligence on the part of the rider of the motorcycle in question and the driver of the offending lorry. He submits that, the Tribunal could have fastened the liability on the rider of the motorcycle as well. Thus, the Tribunal committed an error in declining to saddle the liability on the rider of the motorcycle. He also submits that, the compensation awarded by the Tribunal is on the higher side. Hence, on these grounds, he prays to

allow the appeals filed by the Insurance Company and dismiss the cross-objections filed by the petitioners.

11. *Per contra*, learned counsel for the petitioners/cross-objectors submits that, the charge sheet is not filed against the rider of the motorcycle and the rider of the motorcycle has not contributed for the cause of the accident. He also submits that, the burden is on the Insurance Company to establish that, the accident had caused due to the contributory negligence on the part of the rider of the motorcycle in question. He submits that, the Insurance Company has not examined any eye-witnesses to establish that, the rider of the motorcycle has also contributed for the cause of the accident. Hence, he submits that, the Tribunal was justified in saddling the liability on the Insurance Company. He also submits that, the compensation amounts awarded by the Tribunal are on the lower side. Hence, on these grounds, he prays to allow the cross-objections filed by the petitioners and dismiss the appeals filed by the Insurance Company.

12. Perused the records and considered the submissions of learned counsel for the parties. The points that would arise for consideration are, regarding liability and quantum of compensations.

Reg. Liability:

13. There is no dispute about the occurrence of accident and also the petitioners in MVCs No.633/2016 and 634/2016 have suffered grievous injuries and the deceased in MVC No.635/2016 sustained grievous injuries and succumbed to the said injuries. The petitioners, to prove that the accident occurred due to rash and negligent driving of the driver of the lorry, have produced charge sheet marked as Ex.P12 which discloses that the accident occurred due to the sole negligence on the part of the driver of the lorry. The rider of the motorcycle has not contributed for the cause of accident. The Insurance Company has taken a specific defence in the statement of objections that, the rider of the motorcycle has also

contributed for the cause of the accident. The Insurance Company, except pleading, has not proved the same by leading cogent evidence. In the absence of cogent evidence, the Tribunal was justified in recording its finding that the accident caused due to the sole negligence on the part of the driver of the lorry.

Reg. Quantum of compensations:

MFA No.103608/2018 and MFA CROB No. 100077/2023:

14. In MVC No.633/2016, the petitioner was aged about 16 years as of the date of accident. The multiplier applicable to her age group as per the proposition laid down by the Hon'ble Supreme Court in the case of ***Sarla Verma (Smt.) and Others Vs. Delhi Transport Corporation and Another***[1] is '18'. The petitioner has examined the Doctor as PW-4 and 5, wherein he deposed that, the petitioner has 12% disability to the whole body,

[1] (2009) 6 SCC 121

wherein the Tribunal has assessed the disability at 6%, which is just and proper. The petitioner, to prove her income, has not produced any proof of income. In the absence of proof of income, the Tribunal assessed her income at Rs.6,000/- per month. This Court re-assesses the notional income as per the schedule notified by the Karnataka State Legal Services Authority ('KSLSA' for short) at Rs.8,750/- per month as the accident is of the year 2016. Considering the evidence of PW-4 and 5 and medical records, this Court re-assesses the compensation under the following heads:

Particulars	Compensation awarded in Rs.	
	By the Tribunal	**By this Court**
Pain and sufferings	30,000	40,000
Loss of income of parents during laid-up period	20,000	17,500 (Rs.8,750/- x 2)
Loss of amenities and comfort	40,000	40,000

Medical expenses	35,000	35,000
Attendant charges, conveyance, food, diet, nourishment and other incidental expenses	20,000	20,000
For permanent physical impairment	60,000	-
Loss of future income	-	1,13,400 (8,750 x 12 x 18 x 6%)
Total	**2,05,000**	**2,65,900**
Enhanced by this Court		**60,900**

Thus, the petitioner is entitled to an enhanced compensation of Rs.60,900/-.

MFA No.103609/2018 and MFA CROB No. 100079/2023:

15. The petitioner in MVC No.634/2016 was aged about 40 years as of the date of accident and the petitioner has not produced any proof of income. In the absence of income proof, the Tribunal assessed the notional income at Rs.9,000/-, which is on the higher side. This Court re-assesses the notional income at Rs.8,750/-

as per the schedule notified by KSLSA. The multiplier applicable to his age group is '15'. The petitioner examined the Doctor as PW-4 and 5, who assessed the disability at 18%, but the Tribunal has assessed the disability at 12%, which is just and proper. Considering the nature of injuries and medical records, this Court re-assesses the compensation under the following heads:

Particulars	Compensation awarded in Rs.	
	By the Tribunal	**By this Court**
Pain and sufferings	40,000	50,000
Loss of income of during laid-up period	30,000	17,500 (Rs.8,750/- x 2)
Attendant charges, conveyance, food, diet, nourishment and other incidental expenses	30,000	40,000
Medical expenses	50,000	50,000
Loss of amenities and comfort	75,000	75,000

For permanent physical impairment	1,00,000	1,00,000
Loss of future income	1,81,440	1,89,000 (8,750 x 12 x 15 x 12%)
Total	**5,06,440**	**5,21,500**
Enhanced by this Court		**15,060**

Thus, the petitioner is entitled to an enhanced compensation of Rs.15,060/-.

MFA No.103610/2018 and MFA CROB No. 100078/2023:

16. In MVC No.635/2016, the deceased was aged about 16 years. To prove the income of the deceased, the petitioners have not produced any proof of income. The Tribunal has assessed the income of the deceased at Rs.5,000/-, which is on the lower side. This Court re-assesses the income as per the schedule notified by the KSLSA at Rs.8,750/- as the accident is of the year 2016. The deceased was aged about 16 years. Hence, 40% future prospects has to be added as per the proposition

laid down by the Hon'ble Supreme Court in the case of ***National Insurance Co. Ltd. Vs. Pranay Sethi and Others***[2] i.e., Rs.8,750/- + Rs.3,500/- = Rs.12,250/-. As the deceased was a bachelor, 50% income has to be deducted out of the monthly income i.e., Rs.6,125/-. The multiplier applicable to the age group of the deceased is '18'. Thus, the petitioners are entitled to compensation of Rs.13,23,000/- towards loss of dependency. There are two petitioners. Each petitioner is entitled for compensation of Rs.48,000/- towards loss of consortium (Rs.48,000/- x 2 = Rs.96,000/-). The petitioners are also entitled for Rs.36,000/- towards loss of estate and funeral expenses (Rs.18,000/- + Rs,18,000/-). The petitioners have produced medical bills to show that they have spent medical expenses on the deceased for Rs.1,95,000/-. Thus, the petitioners are entitled to total compensation as follows:

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[2] (2017) 16 SCC 680

Particulars	**Compensation awarded by this Court in Rs.**
Loss of dependency	13,23,000
Loss of consortium	96,000
Loss of estate	18,000
Funeral expenses	18,000
Medical expenses	1,95,000
Total	**16,50,000**
Enhanced by this Court	**6,69,000** (16,50,000 – 9,81,000)

Thus, the petitioners are entitled to an enhanced compensation of Rs.6,69,000/-.

17. In view of the above discussion, I proceed to pass the following:

ORDER

i. The appeals filed by the Insurance Company are ***dismissed***;

ii. The cross-objections filed by the petitioners are ***allowed-in-part***;

iii. The petitioner in MVC No.633/2016 is entitled to an enhanced compensation of Rs.60,900/-, the petitioner in MVC No.634/2016 is entitled to an enhanced compensation of Rs.15,060/- and the petitioners in MVC No.635/2016 are entitled to an enhanced compensation of Rs.6,69,000/- with interest at the rate of 6% p.a. from the date of petition till its realisation;

iv. The petitioners in all the cross-objections are not entitled to an interest for delay of 904 days in filing the cross-objections;

v. The Insurance Company is directed to deposit the entire compensation amounts with accrued interest at the rate of 6% p.a. within 8 weeks from the date of receipt of a copy of this judgment;

vi. The amount in deposit, if any, and the Trial Court records shall be transmitted to the Tribunal, forthwith;

vii. Pending interlocutory application(s), if any, shall stand disposed of.

Sd/-
(ASHOK S. KINAGI)
JUDGE

PA
CT: BSB
List No.: 1 Sl No.: 22