

**IN THE HIGH COURT OF KARNATAKA
CIRCUIT BENCH AT DHARWAD**

DATED THIS THE 31st DAY OF AUGUST, 2010

BEFORE

THE HON'BLE MR. JUSTICE A.S. BOPANNA

M.F.A No.1634/2008 (MV)

BETWEEN:

Sri. Basavanneppa
S/o. Channappa Pudukalkatti
Aged about 60 years
Occ. Service, R/o. Hubli
Dharwad Dist.

... APPELLANT

(By Sri. R. N. Chikkaradder, Adv.)

AND:

1. Sri. A. Narasimha Rao
Aged Major, Occ. Business
C/o. Ramaiah, 1-5-108
Brahmanavada Sangareddy
Medak Dist. 502 001
2. The Branch Manager
The United Insurance Co. Ltd.
Near New Bus Stand
Sangareddy, Medak Dist.
A.P.State, through Divisional Office
L.E.A Complex, Dharwad

... RESPONDENTS

(By Sri. M. G. Gadgoli, Adv. for R2)

MFA FILED U/S 173(1) OF MV ACT AGAINST THE JUDGEMENT AND AWARD DATED: 20.09.2007 PASSED IN MVC NO.80/2001 ON THE FILE OF THE PRL. CIVIL JUDGE (SR.DN.) & ADDL. MACT, HUBLI, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS APPEAL COMING ON FOR HEARING THIS DAY, THE COURT DELIVERED THE FOLLOWING:

JUDGMENT

The appellant/claimant is before this Court seeking enhancement of the compensation as against the sum awarded in M.V.C No.80/2001. The Tribunal has awarded the total compensation of Rs.5,000/-.

2. Heard the learned Counsel for the parties and perused the appeal papers.

3. On hearing the learned Counsel, I have perused the records received from the Tribunal. With regard to the injuries though the Tribunal has referred to the suspected injuries as indicated at Ex.P3, a perusal of



papers would indicate that the same is endorsement issued by the police sub-inspector, wherein it has been stated that there are some injuries to the claimant. Apart from the same, there is no other document either by the doctor or from any other hospital.

4. In a circumstance of this nature, the amount awarded by the Tribunal is sufficient and there is no other material available to grant any further compensation in the matter.

Hence, the appeal is devoid of merit and the same is dismissed. No order as to costs.

Sd/-
JUDGE

gab/-