

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

**DATED THIS THE 31<sup>ST</sup> DAY OF OCTOBER, 2012**

**BEFORE**

**THE HON'BLE MR.JUSTICE S.N.SATYANARAYANA**

**MISCELLANEOUS FIRST APPEAL NO.25424/2011 (MV)**

**BETWEEN:**

SHAHAJIRAO M T.,  
S/O. TULAJAPPA,  
AGE: 30 YEARS, OCC: NIL,  
R/O HIREGONIGERI,  
TQ: HONNALI,  
NOW AT TUMMINAKATTI,  
TQ: RENEBENNUR,  
**DIST: HAVERI.**

**... APPELLANT.**

(BY SRI.M.H.PATIL AND  
SRI.G.S.HULMANI, ADVS.)

**AND:**

1. GANAPATHI,  
S/O NARAYAN NAIK,  
AGE: 52 YEARS, OCC: BUSINESS,  
R/O & POST: BAGGAON,  
TQ: KUMTA,  
**DIST: KARWAR.**
2. THE DIVISIONAL MANAGER,  
UNITED INDIA INSURANCE CO. LTD.,  
ENKAY COMPLEX, KESHWAPUR,  
**HUBLI.**

**... RESPONDENTS.**

This appeal is filed under Section 173(1) of the Motor Vehicles Act, against the Judgment and Award dated 09.08.2011 passed in MVC No.420/2009 on the file of the MACT, Ranebennur, partly allowing the Claim Petition for compensation and seeking enhancement of the same.

This appeal coming on for Admission this day, the Court delivered the following:

### **J U D G M E N T**

Claimant in MVC No.420/2009 on the file of MACT, Ranebennur, has come up in this appeal seeking enhancement of compensation awarded therein.

2. The case of the claimant is that in a road traffic accident, which has taken place on 06.03.2009 at about 6.15 p.m., involving Tractor and Trailer No.KA-14/T-6771-6772 and lorry bearing No.KA-30/7358, he has suffered certain injuries as inmate of Tractor and Trailer. Hence claim petition was filed by him seeking compensation.

3. In the proceedings before the Tribunal, considering the fact that the claimant has suffered fracture of 1<sup>st</sup> metacarpal of right hand, has awarded compensation to him in a sum of

Rs.55,600/- payable with interest at 6% p.a., from the date of petition till realisation. Being aggrieved by the same, the present appeal is filed seeking compensation.

4. On going through the judgment impugned, it is seen that the compensation awarded by the Tribunal for the injuries suffered by the claimant appears to be just and proper. In that view of the matter, question of admitting this appeal for enhancement of the same, does not arise.

5. Accordingly the appeal is dismissed.

**SD/-  
JUDGE**

AGV.