

Karnataka High Court

Jagadevi vs The Divisional Manager on 5 September, 2008

Author: Huluvadi G.Ramesh

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THE men COURT OF KARNATAKA

cmcurr BENCH AT GULBARGA \_ \_

Datedflzis the 5" Day of se;:e;3;.r}é;;"2«9g\$«o\_ .; « ' 3

Before \_ 3 ». .

mg HON'BLE MR JUSTICE HL;\$U.Ie;4Df' <}--.f\$;<i;%dV'I\$gS'I\$\*'\*--:T

Miscelial2eousFi13tAppeal

Between: I t ' V' VV «.

Smt Jagadevi W/0 Gundapp;if"1"orkho;1e

30 yrs, Coolie, Rio Plot # s\_227;;N'G0 Ciolony'

Jewargi Road, Gulbarga" t\$8\_\_5il\_03. " ' " .

Appellant

(By Sri Amcqt..ISZl3rIié.:7oVf\_Vf)c\$;'i\*sg;a;\_ld33 A.oi?.)"

And: V V' V ' «V

Divisional ~ .

New India Assuraxicee Co \_

Sarxgamesigvsfar. Nagar, \_V Layout

S B\_A'}"emfpie Rogsci, fiulbarga «E85 103 Respondent

{'ay's;:£'s \_As;ia}li;' -A "dv,)

lviiisceilafleous Appeal is {Bed under 3173(1) of the Motor Vehicies

Act prayizlgzto"onhance the amount of compensation to be awarded to the ciaimant

" 'by'moairymg¢\_\_;~.=e judgment and award {fated 23.5.2005 £21 1\,«iVC 13052094 by the

:'. '\$:}3LC.f':.': 'vI? Gulbzsrge.

2 This First Appeal coming on for Hearing this day, the court deiivered the

~ .foIl'o\5ving:--

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'whim MHZ" Memmaezeewe Wlww vmwwm "'

JUDGEMENT

This appeal is □led being not satisfied with' the the MACK', Guibarga in MVC 13052004.

The claimant met with an wi□isheliaiong with others was geing in a jeep Shikar Singiapur Temple for taking darshgn; they ivaei Village on NH 9, at that time from oppesite éirection dashed against 'tiie"--elai.viz"aítV--vsias travelling and due to the negligence on the the accident has occurred. In the accident some pei°s(ii1s\_ ' gievous itljuries and there were 1 er 2vf:za;~itza1tievs.. the driver of the Jeep. The Tribunal having eo□sidered .tl1e issue rééardmg negligence, held in favour of the

claimant stating yv that the accicentiiiiieefdtieéttiithe negligence on the part {if the tempo driver. \_  
So far asiéiwarding compensation is concerned, in respect ef this claimant 7l'iin\_irIe.l.ias awaeted  
3 sum of Rs.31,{}□}s'- Being net satis□ed with the .t':\_1£e appeal.

Heard the emnsel representing the parties.

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Mmm a.:mm"z' wt %□mN:A'¥4M£.!& Hm;-i COURT OF KARNATAKA Hm!-I GQMM Q?  
K□mmmt. mm-I cmam taken the income at Rs.88/- per day. Having regard to {hit at 8% for the  
whale body, having regard to the age of the c1ainf;a;it'3\_O.jEea\$\*s; 'lbssvb '» offuturc earning  
capacity comes to Rs.36,864f:;; T116 'c!airnant'ssAt\$ii\$:o stzitiecinvfor T Rs.10,0{o}o!- towards lass  
of amenities and enjoy\$nszt:-- thé '\$tiaizti3.u.t would be entitled to Rs.82,oGo/- with  
69»\*é--v.ijtitctçst frem'th\$ □etitién tiil deposit.

Ordered accozc:mg1y,\_\_\_ Appeé1'is ggaweg□pm. " An