Karnataka High Court

N Balu S/O Narayanaswamy vs Mohammed Ilyas S/O Late D A Khuddus on 28 May, 2009 Author: Dr.K.Bhakthavatsala

II'! THE.' f:'IZ-BF} CSUIEE' Q? KARRATAKE AT zzarsa THIS 'rm: 23"' my 02* my 2939 EEFGRE \$52,' 55\$:-'33:: .DR.J{.5'1"'IC3E _ T T M.\\$'.A.Na.11i?;\&'.?!20C?'5 ;g_z-av; Q' BETWEEN: .' N. Emu, as EEf:'3\\$'\\\$.?\\\$:

Sm ' afar I*¥G.j64 V sRmIm3:;..aU::.z>mé;: _ _ V_ amxsam□xg-56\$._G'é.éA «_ ' (3:53 GIEISH, 3323.,;

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"2s::)"'=.:.A.'s.*>::"e.:'1.':1--;a:~'.=*m.::. Iwuamm co. LTILL, ..%_:.~ze.:-:3, :1; Emma, 31-min' mrxnmms _ 17.GF.;C'iSS, sAa 'agmanama 'A aasymszumm 3'! Huh uvunr vr nnnlvniunu nlun \.ug.uu- ur *\M1\lVlMll|l\.iI nuuw xvunr vr iv-uuV|HIHr\.H rnur! \.\.lIJI\l vr nnnwntnnn ruur! guunl ur I\l-\llf'Il-\IP\l\.H ruurl gt. ITS HANP:@R} . . . RESFGNBEHTS {SR1 F1 AEUN KENAEER, ADU2, FQR R2 E1"'DI5PE\$N'SE}} WEEH}

mm APPEALT "'~;€2C3}?£i}{§ EE.'3B. 'mums- nmammcumai APmIc3;trm2€:" *r:»m scum Dzzzvsmn 'zm. * .§'GI.:§L£ii§§1".E«?§3 V V _ V' ant./C}. aimant in m.v.::.1:~:..-:Q;-3;:::z;'z;*;#:s{;~.é□n the file ef smart of 3_.,gEa.:,12wses ""\$';-------«EV Pseciciitivnal Judge, Hawker, {ECG}-I-6} ia befora this Cmzzzt zir□Æézz 1'2?3(1§ Gf tha Hater Vahiciaa "._".9.u::i;,~.v';1'.'§"..-.88 making anhanaeznant cazf aar@9z2.sat:i:m A " 1:3? "'~ .wa.y af mv□fication Gf the impugzzed jjmgment and □wazd dated 24.11.2994. L 'IIVIIV Inmfiauur xv» :-ur--u:-uv-qv- HGH CUURF U!' KAKNAEAKII Hltph £.uu_KI ur l\l-\l"lFH!-\l\lI nu.-an \\.;un- V. nu-gnu.-...-.v~ Id

- 2. with the acmstant of Learner: Cmir¢sel fez tha appe3.3.ant-Gla.ir ☐ant and R':.}.2-Insu.'€anc:a Sanrepany, Ezearci a;;q:i§aA§nE_\$~VL"?:<::s□_' final ciiapesal.
- 3. Learned C=ouns'é?L'1.: for ~□_h%2 I§§g;j3sVVVl1ant* V submita that the ye§é.via'AVVv:3ld. He was working as earning 113.2: 24 5. 3:: % ';"if1"35:~"-;i.V2§§: . as ':.i2e'r□TE§: x Vrfé-Qyay slip. The claimant€.:.f'x:V:éL'#;t□ra af fibula, 3"' and ft sida and the Cl□mm }3.&5 's:\$_'u¢:Z3t Vpe#:§%;~□:éi1§.:é:':'§3.;~3eblemsnt to tha men: o£:%--5§ f;"e.-_ 's':»2'.1€: 'sn&i£§.ia bociy, but the Trsibzifsag '- éizaaw. §wa.r¢1éé':i" 'V lesser: caregensatim 3.1:: .:::}'f1s%;Va*x3§s~_ 'fs2*:i.z., pain and auf□erixzga; ofAa;§zex1_it£{e.--s'TV. ma law of □ltnm aammg' 1--I'§___A'i'11.t~thez: E'i.11§1'£15.tS that thaugh 'cm mat praducaci to eatabliah that the W33 terminated from the servieze

4. Learhgd. Caungal fer ths aace ☐ reapcndent~In\$urance Comyauy submits that §§§f, Claimant has not yroncad any racord\$_%a é§a% that he was texminated fram s%£§i¢g Q; ☐ \$a§ _ ? valuntazily xasignad thg j§b5 » ☐ hd§t s☐ "circumstances, there £5 na q§§3tio☐ \$£fi§§\$☐ future inccma. Tha:g¢zi§☐ \$\$%:☐ \$ga ☐ fm ☐ erly appreciated the avide\$;é§@ %§cn#☐ C§§☐ awaxde☐ adequate €Gm§é☐ %\$☐ \$\$[1%i☐ Nf\$☐ of the Claimant "riot can re:

1gI\.pu- v.,,\.uqq-u\- 'cu uurnuuuvr-In-r-1nw-- - IIIVJII V-\Jl-J!!! \II I\l'II\l'III"'III"'I Fain & Sufferinga Ra. 2\$,GGu% □ m_ Less oi menities Ra. □\$Q □\$\$€□W W Hadimal Expenses ..m__R3;""3;Q6S»\$QV, Lo33 \$5 eazning during th □i Eeriad at treatment amd_rest FEs.T \$g?33-Q□K Conveyance and Nourishméhé" " "-5 } Expengas ,m a_=_E3."-\$L\$□G~GG fTqta;, uRs. 44,8G1-QQ um.

44, 31:32--an

6. 4::e¢z5%;ing 'A théké. the Claimant has g:3i:.._;:§i;;i"3a-};:}g_I%Ii§:ent af 5% tea the whalé body} it w LIII meét tha ends af Justice '|IL'!3'5 QUUKI UP KAKNAIHRR NIH" \.\.¢!u_IIF U!' AHHIVHIMH» nivn uuunv \ll' i\l"Il'\lVl"'|ll'Il\J"I ta awari &_3um Qf Ra;3¢,\$oG!* tuwaxda £o33 sf ,_amenit§é\$ ax "mgginwt tha sum af R3.5,G \square %f* H3w $\$ r \square edihyv $\$ h§ Tzihunal. Regazding othe; heads sf= aome \square 5ati\$n, the Tribunal has awarded 'adaq \square até_¢ $\$ mpenaation.

§. In View Qf the abave, the appeal is "'4.: ;;";=s:75rt1*;.,z allzawed holding that the Claimant is entitled far Campenaation mf R3.69,8l9f" as against R\$.44,816!* amarda \square by the Tribunal. Acaardingly, the impugnad J \square dgmant an \square Award LM,