

Mr Ummer Farooq @ Ummer Farooq vs Sri Mohammed Shariff

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SooperKanoon Citation : sooperkanoon.com/1509239

Court : Karnataka

Decided On : Jan-31-2026

Judge : D K Singh,C.M. Poonacha

Appeal No. : MFA/689/2021

Appellant : Mr Ummer Farooq @ Ummer Farooq

Respondent : Sri Mohammed Shariff

Advocate for Pet/Ap. : Sri. S.Rajarama

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF JANUARY, 2026 PRESENT THE HON'BLE MR. JUSTICE D K SINGH AND THE HON'BLE MR. JUSTICE C.M. POONACHA MISCELLANEOUS FIRST APPEAL NO. 689 OF 2021 (MV-I) C/W MISCELLANEOUS FIRST APPEAL NO. 1254 OF 2021 (MV-I) IN MFA No. 689/2021 BETWEEN:

1. MR UMMER FAROOQ @ UMMER FAROOQ S/O HASSAINAR, AGED ABOUT 43 YEARS, R.O NEHRUNAGARA HOUSE, KABAKA

VILLAGE,

Digitally

PUTTUR TALUK, signed by

DAKSHINA KA

DEVI Location: HIGH COURT OF (BY SRI. RAJARAMA S.,ADVOCATE)
KARNATAKA AND:

1. SRI MOHAMMED SHARIFF S/O LATE ABDUL KHADAR, AGED 48 YEARS, -2- R.AT KASTURI GENERAL STORES, KABAKA VILLAGE, PUTTUR TALUK, DAKSHINA KANNADA DISTRICT-574220.

2. UNIVERSAL SOMPO GENERAL INSURANCE COMPANY LIMITED REGD. CORPORATE OFFICE, UNIT 401, 4TH FLOOR, SANGAMA COMPLEX, 127, ANDHERI KURLA ROAD, ANDHERI (EAST), MUMBAI-400059.

3. M/S VRL LOGISTIC LIMITED REP BY THE MANAGING DIRECTOR, GIRIRAJ ANNEXE, CIRCUIT HOUSE ROAD, HUBLI DISTRICT-560028.

4. THE NEW INDIA ASSURANCE COMPANY LTD., BRANCH OFFICE, CITY B.R.-II, RAM BHAVAN COMPLEX, III FLOOR, MANGALORE, DAKSHINA KANNADA DISTRICT-575001. RESPONDENTS (BY SRI S RAJASHEKAR, ADVOCATE FOR R.1 SRI PRADEEP B , ADVOCATE FOR R.2 SRI ARAVIND M. NEGLUR, ADV FOR R.3 SRI JANARDHAN REDDY, ADV. FOR R.4) THIS MFA FILED U/S 173(1) OF MV ACT AGAINST THE

JUDGMENT AND AWARD DATED. 03.02.2020, PASSED IN MVC

NO.1353/2016, ON THE FILE OF THE V-ADDITIONAL DISTRICT AND SESSIONS JUDGE AND MEMBER, ADDITIONAL MACT-XI, D.K., MANGALURU, SITTING AT PUTTUR, D.K., PARTLY -3- ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION. IN MFA NO. 1254/2021 BETWEEN:

1. SRI DEVAPPA GOWDA

S/O SHIVAPPA GOWDA, AGED 41 YEARS, R/O MARPU HOUSE, KOILA VILLAGE AND POST, BANTWALA TALUK, D.K. DISTRICT, NO. R.AT. KABAKA OF KABAKA VILLAGE, PUTTUR TALUK, DAKSHINA KANNADA DISTRICT-574220. APPELLANT.. (BY SRI RAJARAMA S., ADVOCATE) AND:

1. SRI MOHAMMED SHARIFF S/O LATE ABDUL KHADAR, AGED 51 YEARS, R.AT. KASTURI GENERAL STORES, KABAKA VILLAGE, PUTTUR TALUK, DAKSHINA KANNADA DISTRICT-574220.

2. UNIVERSAL SOMPO GENERAL INSURANCE COMPANY LTD., REGD. CORPORATE OFFICE, UNIT 401, 4TH FLOOR, SANGAMA COMPLEX, 127, ANDHERI KURLA ROAD, -4- ANDHERI (EAST), MUMBAI-400059.

3. M/S VRL LOGISTIC LIMITED THE MANAGING DIRECTOR, M/S VRL LOGISTIC LIMITED, GIRIRAJ ANNEXE, CIRCUIT HOUSE ROAD, HUBLI DISTRICT-560028.

4. THE NEW INDIA ASSURANCE COMPANY LTD., BRANCH OFFICE CITY B.R.-II, RAM BHAVAN COMPLEX, III FLOOR, MANGALORE, DAKSHINA KANNADA DISTRICT-575001. ...RESPONDENTS (BY SRI. RAJASHEKAR, ADV. FOR R.1 SRI B.PRADEEP, ADV. FOR R.2 SRI ARAVIND M.NEGLUR, ADV. FOR R.3 SRI JANARDHAN REDDY, ADV. FOR THIS MFA FILED U/S.173(1) OF MV ACT, AGAINST THE

JUDGMENT AND AWARD DT.03.02.2020 PASSED IN MVC

NO.1179/2017 ON THE FILE OF THE V ADDITIONAL DISTRICT AND SESSIONS JUDGE, MEMBER, ADDITIONAL MACT-XI, D.K. MANGALURU, SITTING AT PUTTUR, D.K, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION. THESE APPEALS, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER: CORAM: HON'BLE MR. JUSTICE D K SINGH and

HON'BLE MR. JUSTICE C.M. POONACHA

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH) These two appeals have been filed against the award dated 03.02.2020 passed in MVC No.1353/2016 C/W suffered due to the accident has awarded the compensation on the following heads to the two appellants as under:

S1.	Heads	MVC	MVCNo .
2.	Medical expenses	1,10,053/-	3,81,648/-
3.	Loss of income during	24,000/-	36,000/- laid up period
4.	Special diet, nutrition	10,000/-	11,200/- and attendants charges
5.	Travelling expenses	11,300/-	14,000/-
6.	Loss of future income	1,72,800/-	3,24,000/-
7.	Future Medical expenses	25,000/-	50,000/-
8.	Discomfort and loss of	11,000/-	10,000/- amenities of life Total 3,87,153/-
		9,26,848/-	-6-

2. Sri S.Rajarama, learned counsel for the

appellant fairly submits that except for the compensation in respect of the head discomfort and loss of amenities of life, compensation in respect of the other heads have been fairly and correctly awarded by the Tribunal.

3. We have considered the submissions of the

parties and we are of the opinion that the compensation in respect of the head discomfort and loss of amenities requires some enhancement. We therefore grant further compensation of Rs.25,000/- to each of the appellants in respect of the head discomfort and loss of amenities. Thus the total compensation payable to the

two appellants shall be as under:

Sl.	Heads	MFA	MVCNo .
2.	Medical expenses	1,10,053/- 3,81,648/-	
3.	Loss of income during	24,000/- 36,000/- laid up period	
4.	Special diet, nutrition	10,000/- 11,200/- and attendants charges -7-	
5.	Travelling expenses	11,300/- 14,000/-	
6.	Loss of future income	1,72,800/- 3,24,000/-	
7.	Future Medical expenses	25,000/- 50,000/-	
8.	Discomfort and loss of	36,000/- 35,000/- amenities of life Total	4,12,153/- 9,51,848/-
4.	MFA Nos.689/2021 and 1254/2021	are partly	

allowed and the appellants are entitled to enhanced compensation of Rs.9,51,848/- and Rs.4,12,153/- respectively. The impugned awards are modified accordingly. The enhanced compensation will carry interest at the rate of 6% p.a. from the date of filing of the claim petition till date of deposit by the respondents. SD/- (D K SINGH) JUDGE SD/- (C.M. POONACHA) JUDGE AKC List No.: 1 Sl No.: 15