

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 28TH DAY OF MAY 2012

B E F O R E

THE HON'BLE MR. JUSTICE HULUVADI G. RAMESH

MFA No.5768/2009 (MV)

BETWEEN:

Maligegowda @ Krishnegowda
S/o Lakshmegowda
Aged about 52 years
Katharighatta Village,
Baladare Post
C R Patna Taluk
Hassan District.

...Appellant

(By Sri Girish B. Baladare, Adv.)

AND :

1. The Manager
The Oriental Insurance Company Limited
Gandhi Bazar
Venkateshvara Building
BM Road
Hassan.

2. V R Basavaraju
S/o V R Rangegowda
Major
Veerapura Village
Salagame Hobali
Hassan Tauq and District.

...Respondents

(By Sri V R Basavaraj, Adv. for R2,
Smt. Harini Shivanand Adv. for R1)

14

3. Heard.

4. According to the learned counsel for the appellant, claimant was hospitalized due to tear of muscle thigh and also in paragraph 8 of the impugned judgment of the tribunal, it is stated that an operation was conducted and also submitted that there is injury to both the thighs and disability is assessed at 16 to 22%. Accordingly, he has sought for compensation under all the heads.

5. It is the submission of the learned counsel for the Insurance Company that the claimant has been awarded suitably and does not require any further enhancement and there is no disability at all.

6. On perusal of the impugned judgment at paragraph 8, it is forthcoming from the evidence of Dr. Shankar that there is injuries to the thigh and an operation is said to have been conducted and he was treated as inpatient from 18.5.1999 for a period of 15 days. Claimant is said to have spent nearly Rs.50,000/- towards medical expenses. Disability assessed is in respect of left limb. Taking into consideration the age of the claimant, the

X

