



2026:CGHC:24778

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 74 of 2019

1 - Smt. Kalendri Bai Sonkar W/o Late Shri Kripa Ram Sonkar Aged About Years,
R/o Behind Jagriti High School, Sonkar Para, Bhatha Gaon, Raipur Tehsil And
District Raipur Chhattisgarh.....Claimant, District : Raipur, Chhattisgarh
... **Petitioner(s)**

versus

1 - Thakur Ram Nishad S/o Shri Ganesh Nishad R/o Village Khudmuda, P. S.
Patan, Durg District Durg Chhattisgarh..... (Driver Vehicle Deluxe No. Cg 07, A. D.
8544), District : Durg, Chhattisgarh

2 - Raj Kumar Sonkar S/o Ramadhar Sonkar R/o Village Jamrao, P. S. Patan, Durg
District Durg Chhattisgarh..... (Owner Vehicle Deluxe No. Cg 07, A. D. 8544),
District : Durg, Chhattisgarh

3 - I. C. I. C. I. Lombard General Insurance Company Ltd. Ground Floor,
Commercial Complex, Devendra Nagar Road, Raipur District Raipur
Chhattisgarh (Insurer Vehicle Deluxe No. Cg 07, A. D. 8544), District : Raipur,
Chhattisgarh

... **Respondent(s)**

For Appellant	:	Mr. Anjali Nayak, Advocate holding the brief of Shri Akhilesh Mishra, Advocate.
For Respondents No.1 & 2	:	Mr. Vimal Pathak, Advocate on behalf of Shri Devershi Thakur, Advocate.
For Respondent No.3	:	Ms. Harneet Kaur, Advocate holding

	the brief of Shri Sourabh Sharma, Advocate.
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Hon'ble Shri Justice Rakesh Mohan Pandey

Judgment On Board

18-06-2026

- 1) The appellant/ claimant has filed this appeal under Section 173 of the Motor Vehicles Act seeking enhancement of compensation against the award dated 3.8.2018, passed in Claim Case No.234 of 2012 by the Second Additional Tribunal to the First Additional Motor Accident Claims Tribunal Raipur, District Raipur, whereby the learned Tribunal granted a sum of Rs.71,774/- alongwith interest @ 7.5% against the medical expenses.
- 2) The facts, in brief, are that on 13.9.2012, the TVS Moped of the petitioner bearing registration No.C.G.04 FA 3497 was hit by a motorcycle bearing registration No.C.G. 07 AD 8544, whose rider was driving rashly and negligently. In the said accident, deceased Kriparam Sonkar sustained serious injuries and he died on 22.5.2016. Thereafter, the widow of the deceased filed a claim case under Section 166 of the Motor Vehicles Act, wherein it was pleaded that the income of the deceased was Rs.3,00,000/- per annum. At the time of accident, the deceased was aged about 62 years. She claimed a sum of Rs.12,50,000/-. The Insurance Company filed its reply and denied the averments made in the claim petition. A specific stand was taken that the death was not the result of the accident as the deceased died nearly four years after the date of accident. Learned Tribunal framed issues,

parties led their evidence and thereafter, an award was passed.

- 3) Learned counsel appearing for the appellant would argue that on 13.9.2012, deceased Kriparam Sonkar sustained grievous injuries on account of accident and remained bedridden till date of death i.e. 22.5.2016. It is further contended that he remained under treatment during the said period. She would submit that the learned Tribunal has committed an error while denying compensation towards loss of dependency and also failed to grant compensation on conventional heads. She would pray to allow this appeal.
- 4) On the other hand, learned counsel appearing for respondent No.3 would oppose the submissions made by counsel for the appellant. She would submit that the claimant failed to adduce documentary evidence to substantiate that the deceased was under treatment from the date of accident till the date of his death. She would submit that the learned Tribunal has honoured medical bills submitted by the claimant. It is argued that since the death was natural and not caused by the accident, the learned Tribunal rightly granted compensation to the tune of Rs.71,774/-.
- 5) Learned counsel for respondents No.1 & 2 would support the contention made by counsel for respondent No.3.
- 6) Heard learned counsel for the parties and perused the record with utmost circumspection.
- 7) The deceased met with an accident on 13.9.2012 and an FIR was registered on 14.9.2012 against the driver of the vehicle bearing

registration No.C.G.07AD 8544. Deceased – Kriparam Sonkar died on 22.5.2016. Initially, the deceased was medically examined by the Medical Officer wherein simple injuries were found over his head and face. There is no document on record to infer that the deceased remained hospitalized on account of serious injuries sustained by him. Medical bills to the tune of Rs.71,774/- were produced before the learned Tribunal and the learned Tribunal has honoured those medical bills. The claimant did not examine the treating doctor to prove the injuries sustained by the deceased. In absence of medical evidence, learned Tribunal has rightly held that the death of deceased Kriparam Sonkar was not a result of the accident which occurred on 13.9.2012. Thus, the learned Tribunal has already granted compensation to the tune of Rs.71,774/-, being the amount spent on the treatment of the deceased.

- 8) Taking into consideration the above-discussed facts and the findings recorded by the learned Tribunal, I do not find any good ground to interfere with the award passed by the learned Tribunal. Accordingly, the appeal fails and is hereby **dismissed**.

Sd/-
(**Rakesh Mohan Pandey**)
JUDGE