



2026:CGHC:16618

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 174 of 2020

H.D.F.C. General Insurance Co. Ltd. Through Divisional Manager, Second Floor, Pujari Complex, Pachpedi Naka, Raipur Chhattisgarh. At Present Devendra Nagar, Road, Raipur Chhattisgarh. (Insurer Of Vehicle No. Cg-10-R-0751), District : Raipur, Chhattisgarh

... Appellant

Versus

1 - Kishan Lal Yadav S/o Dayaram Yadav Aged About 54 Years R/o Police Line Wireless Colony, Qtr. No. G4/16, Thana Tikrapara, Tahsil Raipur, District Raipur Chhattisgarh. (Claimant), District : Raipur, Chhattisgarh

2 - Dashrath Nayak S/o Shri Lalu Nayak Aged About 35 Years R/o Village Haisal Piska Mod, Thana Sukdev Nagar, Ranchi Tahsil Ranchi District Ranchi (Jharkhand) (Driver Of Vehicle No. Cg-10-R-0751)., District : Ranchi, Jharkhand

3 - Gurmit Singh S/o Shri Avtar Singh R/o Shri Surajdev Chaudhary Transport Nagar, Jarhabhatha, Tahsil Bilaspur District Bilaspur Chhattisgarh. (Owner Of Vehicle No. Cg-10-R-0751)., District : Bilaspur, Chhattisgarh

... Respondents

[Cause-title taken from Case Information System (CIS)]

For Appellant : Mr. Harshmandar Rastogi, Advocate

For Respondent No.1 : Mr. Amiyakant Tiwari, Advocate

Single Bench: Hon'ble Shri Justice Sanjay K. Agrawal

(Order on Board)

10.04.2026

1. In this appeal filed under Section 173 of the Motor Vehicle Act, 1988 (for short the "MV Act"), the appellant- Insurance Company is calling in question legality, validity and correctness of impugned award

dt. 03.09.2019, whereby the learned Claims Tribunal has fastened the liability to pay compensation to the tune of Rs.8,69,714/- upon them.

2. Learned counsel appearing for the appellant submits that the learned Claims Tribunal is absolutely unjustified in award compensation to the tune of Rs.8,69,714/- to the claimant, as the claimant being the person employed with Police Department has already obtained reimbursement of the said amount. As such, the impugned award is liable to be set aside.

3. On the other hand, learned counsel appearing for the respondent supported the impugned award and prays for dismissal of this appeal.

4. I have heard learned counsel for the parties, considered their rival submissions made hereinabove and went through the record with utmost circumspection.

5. In the case at hand, after perusal of the record, it is quite clear that though the appellant- Insurance Company took plea that the claimant being a person employed with the Police Department has already obtained reimbursement of the amount, therefore, he is not entitled for any compensation, but no evidence has been led to substantiate the said fact. Neither any oral nor documentary evidence has been led on behalf of the insurance company to demonstrate the fact that the claimant being the person employed with the Police Department has already obtained reimbursement of the amount incurred by him during his treatment. Even, the insurance company was free to obtain the said information from the concerned department, but they have not chose to

do so, therefore, in absence of any evidence, the learned Claims Tribunal has rightly awarded compensation to the tune of Rs.8,69,714/- to the claimant for the injuries sustained by him in the accident in question. As such, I do not find any perversity or illegality in the findings of the learned claims tribunal in awarding compensation to the claimant and fastening the liability to pay compensation upon the insurance company, as the same is correct findings of facts based on evidence available on record.

6. Accordingly, I do not find any merit in this appeal warranting interference of this Court and, therefor, the same is hereby **dismissed** by leaving the parties to bear their own costs.

sd/-
(Sanjay K. Agrawal)
Judge