



SIDDHANT  
TAMRAKAR  
Digitally  
signed by  
SIDDHANT  
TAMRAKAR  
Date:  
2026.02.25  
10:24:50  
+0530



2026:CGHC:9446

NAFR

## HIGH COURT OF CHHATTISGARH AT BILASPUR

### MAC No. 410 of 2025

1. Smt. Dashoda Sahu W/o Late Basant Kumar Sahu Aged About 48 Years R/o Village Pandripani, Police Station And Tehsil Bilaigarh, District Sarangarh Bilaigarh Chhattisgarh.
2. Khileshwar Prasad Sahu S/o Late Basant Kumar Sahu Aged About 28 Years R/o Village Pandripani, Police Station And Tehsil Bilaigarh, District Sarangarh Bilaigarh Chhattisgarh.
3. Digvijay Kumar S/o Late Basant Kumar Sahu Aged About 24 Years R/o Village Pandripani, Police Station And Tehsil Bilaigarh, District Sarangarh Bilaigarh Chhattisgarh.
4. Satya Kumari Sahu D/o Late Basant Kumar Sahu Aged About 19 Years R/o Village Pandripani, Police Station And Tehsil Bilaigarh, District Sarangarh Bilaigarh Chhattisgarh.

... **Appellant(s)**

**versus**

1. Khem Lal S/o Cheduram Sahu Aged About 27 Years R/o Village Pachri, Police Station Bilaigarh, District Sarangarh Bilaigarh Chhattisgarh. (Driver Of Bus Vehicle Cg 22 M 7382)
2. Abhishek Patel S/o Praveen Patel Aged About 31 Years Address Near Patel Tal, Raipur Road, Ward No. 12, Balodabazar, District Balodabazar Bhatapara Chhattisgarh. (Owner Of Bus Vehicle Cg 22 M 7382)
3. The New India Insurance Company Limited Through The Branch Manager, Address Branch Office, Ambedkar Chowk, Raipur Road, Balodabazar, District Balodabazar Bhatapara Chhattisgarh. Policy No. 46040131220100004731, Validity From 27/12/2022 To 26/12/2023. (Insurer Of Bus Vehicle Cg 22 M 7382)

... **Respondent(s)**

---

|                                            |                                                                                     |
|--------------------------------------------|-------------------------------------------------------------------------------------|
| For Appellant                              | : Mr. Palash Agrawal, Advocate                                                      |
| For Respondent No. 3/<br>Insurance Company | : Mr. Raghvendra Verma, Advocate holding<br>the brief of Mr. Deepak Gupta, Advocate |

---

**Hon'ble Shri Justice Rakesh Mohan Pandey**

**Order on Board**

**24.02.2026**

1. The claimants have filed this appeal assailing the judgment and award

passed by the learned 2<sup>nd</sup> Additional Motor Accident Claims Tribunal, Balodabazar passed in Claim Case No. 118/2023 dated 03.12.2024, whereby, the learned Tribunal has granted compensation to the tune of Rs. 17,83,700/- with interest at the rate of 9% per annum on account of death of Basant Sahu.

2. Learned counsel for the appellants would submit that on 29.03.2023 when deceased was returning to his village in a Bus bearing registration No. CG 22 M 7382, it was dashed by offending Truck bearing registration No. CG 07 CA 9967. In said accident, Basant Sahu sustained injuries and succumbed to death. Mr. Palash Agrawal would submit that the learned Tribunal has granted just and proper compensation but failed to grant separate compensation for loss of estate. He would pray to enhance the compensation accordingly.
3. On the other hand, learned counsel appearing for Insurance Company would oppose.
4. I have heard learned counsel for the parties and perused the record.
5. Perusal of award would show that the learned Tribunal has not granted separate compensation for loss of estate, whereas as per judgment laid down by the Hon'ble Supreme Court in the matter of ***National Insurance Company Ltd. V. Pranay Sethi, reported in 2017 (16) SCC 680***, the claimants are entitled for a sum of Rs. 15,000/- for loss of estate. Accordingly, the claimants are held entitled to receive a sum of Rs. 15,000/- with an additional sum of 10% on said amount for loss of estate. The Insurance Company shall make payment of Rs. 16,500/- to the claimants. Rest of the conditions of impugned award shall remain intact.

Sd/-  
(Rakesh Mohan Pandey)  
Judge