



2026:CGHC:37617



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR
MAC No. 255 of 2023

1 - Pushpalata Narange W/o Late Mangal Das Narange Aged About 46 Years R/o Ward No. 10, Jyotipur Chowk, In Front Of Shri Shiva, District - Gaurela, Pendra Marvahi (Chhattisgarh) (Claimants)

2 - Aanamika Narange D/o Late Mangal Das Narange Aged About 25 Years R/o Ward No. 10, Jyotipur Chowk, In Front Of Shri Shiva, District - Gaurela, Pendra Marvahi (Chhattisgarh)

... Appellants

versus

1 - Indrajeet Rathoure S/o Ghanshyam Rathoure R/o Dounjara Pendra Road, District - Gourela Pendra Marvahi (C.G.) (Driver Of The Offending Vehicle Pickup No. C.G.10/a.F./0301)(Driver)

2 - Vijay Kumar Mishra S/o Rajman Mishra R/o Chuchuhiyapara, Ganesh Nagar, Bilaspur Tahsil And District - Bilaspur (C.G.) (Owner Of The Offending Vehicle Pickup No. C.G.10/a.F./0301)(Owner)

3 - Iffco Tokiyo General Insurance Company Limited Through Branch Manager, Vyapar Vihar Road, Near - I.C.I.C.I. Bank Thana Civil Line, District - Bilaspur (C.G.) (Insurer Of The Offending Vehicle Pickup No. C.G.10/a.F./0301)(Insurer)

... Respondent(s)

For Appellants : Mr. Arjun Lal Singroul, Advocate

For Respondent No.3 : Mr. Pravesh Sahu, Advocate

Hon'ble Shri Justice Sanjay Kumar Jaiswal
Judgment on Board

21.08.2026

1. This appeal under Section 173 of the Motor Vehicles Act, 1988 (for short the "Act of 1988") has been preferred by the appellants/claimants seeking enhancement of the amount of



compensation, challenging the impugned award dated 16.09.2022, passed in Claim Case No.855/2021 by learned Third Additional Motor Accident Claims Tribunal, Bilaspur whereby the learned Claims Tribunal has awarded a total sum of Rs.12,56,360/- as compensation for the death of Abhishek Narange aged about 23 years (unmarried), who died in a road accident which took place on 02.02.2021.

2. Learned counsel for the appellant would submit that the learned Claims Tribunal has erred in awarding lesser amount of compensation in the facts of the case. The Claims Tribunal has assessed the income of the deceased on the lower side and has also awarded lesser amount under other conventional heads and consortium is awarded only to the mother of the deceased not to the sister which needs to be enhanced. Therefore, the instant appeal be allowed and the compensation awarded by the Claims Tribunal may suitably be enhanced.
3. Learned counsel for respondent No.3/insurance company would submit that the Claims Tribunal after appreciating oral and documentary evidence available on record rightly awarded the compensation amount. Hence, the compensation awarded by the Claims Tribunal is just and proper and requires no interference.
4. I have heard learned counsel for the parties, considered their rival submissions made herein-above and went through the records with utmost circumspection.



5. In the case at hand, true it is that the learned Tribunal has taken the monthly income of the deceased to be Rs.7,800/-, which ought to be Rs.8,960/- as per the Chhattisgarh Minimum Wages Notification issued by the office of Labour Commissioner, Chhattisgarh. Furthermore, in other conventional heads the Tribunal has granted only Rs.77,000 which ought to be 1,21,000/-, to that extent the impugned award needs to be modified.
6. Thus, in light of the aforesaid discussion and in light of the judgments of the Supreme Court rendered in the matters of **National Insurance Company Ltd. V. Pranay Sethi¹**, **Sarla Verma & Ors. Vs. Delhi Transport Corporation & Ors²** and **Magma General Insurance Co. Ltd. v. Nanu Ram @ Chuhru Ram & Ors³**, this Court is computing the compensation as below:-

Sr. No.	Heads	Compensation awarded by the Tribunal	Compensation awarded by this Court
1	Income	Rs. 7,800 x 12 = 93,600/-	Rs. 8,960 x 12 = 1,07,520,
2.	Future prospect	(+)40% (i.e. Rs. 37,440) = 1,31,040/-	(+)40% (i.e. Rs. 43,008) = 1,50,528/-
3.	Deduction	(-) 1/2 (i.e. 65,520/-) = 65,520/-	(-) 1/2 (i.e. 75,264) = 75,264/-
4.	Multiplier	(x) 18 = 11,79,360/-	(x) 18 = 13,54,752/-
5	Other conventional heads	Rs. 77,000/-	Rs. 1,21,000/- (16500+16500+88000)
	Total	Rs. 12,56,360/-	Rs. 14,75,752/-

1 (2017) 16 SCC 680

2 (2009) 6 SCC 121

3 (2018) 18 SCC 130



7. In view of the aforesaid analysis, the amount of compensation of Rs.12,56,360/- awarded by the Claims Tribunal is enhanced to Rs.14,75,752/-. Hence, after deducting the amount of Rs.12,56,360/-, the appellants are held entitled for an additional amount of **Rs.2,19,392/-**. The additional amount of compensation shall carry interest @ 6% per annum from filing of the claim application before the Claims Tribunal till its realization. Rest of the conditions of the impugned award shall remain intact.
8. In the result, the appeal is **partly allowed** and the impugned award is modified to the extent as indicated herein-above.
9. The Registry is directed to communicate the claimants in writing “the enhanced amount” in this appeal as against the award made by the concerned Tribunal. The said communication be made in Hindi Deonagri language and the help of paralegal workers may be availed with a co-ordination of Secretary, Legal Aid of the concerned area wherein the claimants resides.

Sd/-
(Sanjay Kumar Jaiswal)
Judge