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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 767 of 2026

1 - Pratibha Sahu W/o Late Neelmani Sahu Aged About 52 Years R/o Kabirnagar, K.B.T. 357, Raipur, Tahsil And Distt. Raipur, Chhattisgarh.

2 - Siddharth Sahu S/o Late Neelmani Sahu Aged About 27 Years R/o Kabirnagar, K.B.T. 357, Raipur, Tahsil And Distt. Raipur, Chhattisgarh.

3 - Saubhagya Shankar Sahu S/o Late Neelmani Sahu Aged About 25 Years R/o Kabirnagar, K.B.T. 357, Raipur, Tahsil And Distt. Raipur, Chhattisgarh.

... Appellants

versus

1 - Ritesh Kannauje S/o Late Nakchhedi Ram Kannauje Aged About 35 Years R/o Santoshi Chowk, Kushalpur, P.S. Purani Basti, Raipur, Tahsil And Distt. Raipur, Chhattisgarh.

2 - Magma H.D.I. General Insurance Company Limited Through The Branch Manager, Office No. 501, 509-512 Fifth Floor, D.B. City Corporate, Plot No. 1, Block No. 9, Rajbandha Maidan, Raipur, Tahsil And Distt. Raipur, Chhattisgarh.

... Respondents

For Appellants	**:**	Shri Sanjeev Kumar Sahu, Advocate

For Respondents	:	None

Hon’ble Shri Justice Sachin Singh Rajput

Order on Board

23/04/2026

1. Heard on admission.

2. This appeal is arising out of the award dated 20.1.2026 passed in Claim Case No.706 of 2023 by the 6th Additional Motor Accidents Claims Tribunal, District Raipur (Chhattisgarh).

3. By the award impugned, against a claim of Rs.56,50,000, the learned Claims Tribunal has awarded a compensation of Rs.29,04,499.

4. Learned counsel for the appellants submits that the amount of compensation awarded is on lower side, which requires suitable enhancement.

5. The Tribunal on assessment of the income tax return filed by the deceased found the yearly income of the deceased to Rs.4,21,550 before his death and after the deduction of the income tax found his yearly income to Rs.4,12,802. Thereafter, deducted 1/3rd income for his personal expenses and after applying multiplier of 9 looking to his age between 56 to 60, awarded Rs.24,76,818. Thereafter, further added 10% future prospects and thus awarded Rs.27,24,499 as loss of dependency. The Tribunal further awarded compensation on spousal consortium and parental consortium amounting to Rs.1,44,000 and further awarded Rs.18,000 for funeral expenses and

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Rs.18,000 for loss of estate in light of judgments of the Hon'ble Supreme Court rendered in the matters of **National Insurance Company Ltd. v. Pranay Sethi, (2017) 16 SCC 680** and **Magma General Insurance Co. Ltd. v. Nanu Ram @ Chuhru Ram and others, (2018) 18 SCC 130.**

6. In the opinion of this Court, the amount of compensation awarded by the Tribunal is based upon proper appreciation of the evidence brought on record. The income assessed by the Tribunal is also based upon the income tax return. This Court finds that just compensation has been awarded.

7. This Court does not find any merit in this appeal. The appeal is thus dismissed at the stage of admission itself.

Sd/-

(**Sachin Singh Rajput**)
JUDGE

Gopal