



2026:CGHC:21178

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MAC No. 909 of 2019**

1 - Sanjay Kumar Suryavanshi S/o Puranlal Suryavanshi Aged About 38 Years R/o Gopalpur, Police Station Darri, Tahsil Katghora, District Korba Chhattisgarh.

... Appellant**versus**

1 - Ravishankar Das S/o Babulal R/o Jailgao Chauk Ayodhyapuri, Police Station Darri, District Korba Chhattisgarh. (Owner)

2 - Purendu Goswani S/o Ashok Kumar Goswami, R/o Gajra Basti Post Office Banki Mongra Tahsil Katghora, District Korba Chhattisgarh. (Driver of the vehicle)

... Respondent(s)

For Appellant : Mr. Shivam Mishra on behalf of Mr. Akhilesh Kumar, Advocate.

For Respondent(s) : None.

(Single Bench)**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****06/05/2026**

1. The appellant/claimant has preferred this Appeal under Section 173 of the Motor Vehicles Act, 1988 (for short 'the Act, 1988') calling in question the legality, validity and correctness of the award dated 22.9.2018 passed by the Additional Claims Tribunal to the Court of Upper Motor Accident Claims Tribunal,



Katghora, District Korba (for short 'the Claims Tribunal') in Claim Case No.120/2013 by which the claim petition preferred by the appellant/claimant was rejected.

2. Mr. Shivam Mishra, learned counsel for the appellant/claimant would submit that the claim petition has been wrongly rejected by the Claims Tribunal, as there is ample evidence on record to hold that the accident was caused due to rash and negligent driving on the part of respondent No.2.
3. None appears on behalf of the respondents.
4. I have heard learned counsel for the appellant, considered his submissions made herein-above and went through the records with utmost circumspection.
5. In the present case, claimant has been examined. He has clearly stated that on account of negligence on the part of driver of the vehicle namely, Purendu Goswami, accident occurred and he suffered injuries in the accident. Not only this, the appellant has filed Final Report (Ex.-P/1), FIR (Ex.-P/2), spot map (Ex.-P/3), which would go to show that the appellant has suffered injuries on account of rash and negligent driving of the vehicle owned by respondent No.1 and driven by respondent No.2.
6. In that view of the matter, the impugned award is set aside and it is held that the appellant has suffered injuries on account of rash and negligent driving of the vehicle owned by respondent No.1 and driven by respondent No.2.



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7. Accordingly, the matter is remitted to the concerned Claims Tribunal with a direction to examine the claimant further, doctor, if any, and also to examine the respondents and witnesses and thereafter to pass fresh award within a period of 4 months from the date of receipt of a copy of this order.
8. With the aforesaid direction, the Appeal is disposed of.

Sd/-
(Sanjay K. Agrawal)
Judge

Barve