



2026:CGHC:17220

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 1158 of 2019

Nilesh Yadav, S/o. Nehrual Yadav, Aged About 23 Years, R/o. Village Bachoud, Police Station Baloda, District Janjgir Champa, Chhattisgarh.

... Appellant

versus

1 - Ashok Kumar, S/o. Tripal Prasad, Aged About 22 Years, R/o. Village Darabhata, Post Mudpar, Tahsil Masturi, District Bilaspur Chhattisgarh.....Driver Of Vehicle C G.10/U-9069.

2 - Ramkhilawan Patanwar, S/o. Sadhram Patanwar, Aged About 58 Years, R/o. Village Dhaniya, Police Station Seepat, Tahsil Masturi, District Bilaspur, Chhattisgarh.Owner Of Vehicle CG.10/U- 9069.

3 - United India Insurance Co. Ltd., 2nd Floor, Gurukripa Tower, Vyapar Vihar, Near Ambar Auto Mobile, Bilaspur, Tahsil And District Bilaspur Chhattisgarh.....Insurer Of Vehicle CG.10/U- 9069.

... Respondents

For Appellant	:	Dr. Kumaresh Tiwari, Advocate
For Respondents No.1 & 2	:	Mr. Shrikant Kaushik, Advocate
For Respondent No.3	:	Mr. R.N.Pusty, Advocate



(Single Bench)

Hon'ble Shri Justice Sanjay K. Agrawal

Judgment on Board

15.04.2026

- 1.** This appeal under Section 173 of the Motor Vehicles Act, 1988 has been preferred by the appellant/ claimant seeking enhancement of the amount of compensation, challenging the impugned award dated 03.10.2018 passed by the Motor Accident Claims Tribunal, Bilaspur, in Claim Case No.632/2017, by which the claim application of the claimant has been allowed and an amount of Rs.1,53,700/- has been awarded as compensation to the claimant along-with interest @ 6% per annum from the date of filing of claim application.
- 2.** Dr. Kumaresh Tiwari, learned counsel for the appellant/ claimant, would submit that the claimant had suffered fracture in right thigh and in left tibia fabula bone and the learned Claims Tribunal has awarded very meager amount; therefore, the amount of compensation be suitably enhanced.
- 3.** Mr. Shrikant Kaushik, learned counsel for the respondent No.1 & 2 and Mr. R.N.Pusty, learned counsel for the insurance company/respondent No.3 would submit that the amount of



compensation awarded by the learned Claims Tribunal is just & proper, which does not call for any interference.

4. I have heard learned counsel for the parties, considered their rival submissions made herein-above and gone through the records minutely.
5. Learned Claims Tribunal awarded total compensation of Rs. 1,53,700/- under the different heads while taking the income of the claimant to be Rs.6,000/- per month, which ought to have been taken as Rs. 9,230/- per month, as per Chhattisgarh Minimum Wages Notification issued by the office of the Labour Commissioner, Chhattisgarh. Thus, this Court is recomputing the compensation as below:-

Heads	Compensation awarded by the Tribunal	Compensation awarded by this Court
For Loss of Income	Rs. 6000/-	Rs. 9,230/- per month and for 2 months it comes to Rs. 18,460/-
Pain & Suffering	Rs. 25,000/-	Rs. 50,000/-
Medical Bills (medical + transportation)	Rs. 1,12,683/- rounded up Rs. 1,12,700/-	Rs. 1,12,700/-
Special Diet	Rs. 10,000/-	Rs. 15,000/-
Assistance	No awarded	Rs. 15,000/-
Total	Rs. 1,53,700/-	Rs. 2,11,160/-



- 6.** In view of the aforesaid analysis, the amount of compensation of **Rs. 1,53,700/-** awarded by the Claims Tribunal is enhanced to **Rs. 2,11,160/-**. Hence, after deducting the amount of **Rs. 1,53,700/-**, the claimant is entitled for an additional amount of **Rs. 57,460/-**. The concerned respondent is directed to deposit the amount of compensation as enhanced by this Court within a period of 45 days. The additional amount of compensation shall carry interest @ 6% *per annum* from the date of filing of claim application before the Tribunal till its realization. Rest of the conditions of the impugned award shall remain intact.
- 7.** In the result, the appeal is partly allowed and the impugned award is modified to the extent as indicated herein-above.

Sd/-
(Sanjay K. Agrawal)
Judge

Ashok