



2026:CGHC:14783

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 1295 of 2023

Narendra Sahu S/o Radheshyam Sahu Aged About 29 Years R/o Village And Post Girdhauna, Police Station- Sakri, District- Bilaspur (C.G.)

... Appellant

versus

1 - Gautam Maravi S/o Shri Ado Singh Maravi Aged About 32 Years R/o Village- Dandan, Police Station- Takhatpur, District- Raipur (C.G.) (Driver And Owner Of The Vehicle Motor Cycle No. C. G. 10 A.R. 7205).

2 - Tata Aig General Insurance Company Limited Through Branch Manager, Branch Office- 4th Floor, Gwalani Chamber, Vyapar Vihar Main Road, Bilaspur, District- Bilaspur (C.G.) (Insurer Of The Vehicle Motor Cycle No. C.G. 10 A.R. 7205).

... Respondents

For Petitioner	:	Anand Kesharwani, Advocate
For Res. No. 1	:	None
For Res. No. 2	:	Ms. Manshi Bande, Advocate
For Res. No. 3	:	Mr. Sourabh Sharma, Advocate

Hon'ble Shri Justice Sachin Singh Rajput

Order On Board

30/03/2026

1. Heard on I. A. No. 1 of 2023, which is an application for condonation of delay of 44 days in filing the appeal.

2. On due consideration and for the reason stated in the application, the application (I. A. No. 01 of 2023) is allowed. Delay of 44 days in filing the appeal is condoned.
3. Heard on admission.
4. Appeal is admitted for hearing.
5. With the consent of the parties, the matter heard finally.
6. This Appeal under Section 173 of the Motor Vehicles Act, 1988 (for short "M.V. Act") has been filed by the appellant/claimant, being aggrieved by the award dated 31.01.2023 passed by the 5th Additional Motor Accident Claims Tribunal, Bilaspur, District-Bilaspur (C.G.) in Claim Case No. 349 of 2021.
7. By the impugned award the learned Tribunal has awarded compensation of Rs. 3, 54,000/- to the appellant/claimant against a claim of Rs. 37,00,000/- on account of the injuries sustained by the appellant-Narendra Sahu in an accident that took place on 10.12.2019 by rash and negligent driving of the offending vehicle (Motorcycle) bearing registration No. CG10-AR/7205, driven by driver-Cum Owner/respondent No. 1. As a result of the said accident, the appellant/Narnedra Sahu sustained severe injuries on his face including fracture and remained in hospitalization for a considerable period.
8. As per the pleadings, at the time of accident the appellant/Narnedra Sahu was aged about 29 years and was working as former and vegetable vendor and used to earn of Rs. 50,000/- per month.
9. Respondent No. 1 /Driver cum Owner denied averment made in the claim application and filed the written statement. Respondent No. 3/Insurance in usual course, denied the averments of the claim

application and pleaded that the driver of the offending vehicle did not have valid and effective driving licence and there is a violation of terms and conditions of insurance policy.

10. On the basis of the above pleadings, the learned Tribunal has framed Seven issues and after appreciating the material available on record decided the same in favour of the appellant/claimant and awarded above stated compensation.
11. Learned counsel for the appellant/claimant submits that amount of compensation is on the lower side. The appellant has suffered fracture on his face and his face is disfigured Hence, suitable enhancement may be made by this Court.
12. Mr. Sharma learned counsel for respondent No. 3 supports the award and submits that in view of the evidence available on record finding of the learned Claims Tribunal is justified and just compensation has been awarded.
13. I have heard learned counsel for the parties, considered their rival submissions and perused the records.
14. The learned Tribunal after meticulous examination of the evidence, awarded Rs. 150,000/- for injury caused to the appellant; Rs. 9,000/- for loss of income; Rs. 1,00,000/- for treatment; Rs. 50,000/- for pain & suffering; Rs. 20,000/- for Nutritional diet and Rs. 25,000/- for transportation, hence the learned Tribunal awarded total compensation of Rs.3,54,000/- to the appellant/claimant.
15. In view of evidence available on record, this Court is of the view that ends of justice would meet if an additional compensation of RS. 50,000/- be awarded under all relevant heads to make the compensation just.

16. The appeal is allowed in part and the compensation amount is enhanced to Rs. 50,000/- in addition to the amount awarded by the learned Claims Tribunal. The respondent No. 3/Insurance Company Ltd. is granted two months' time to deposit enhanced amount of compensation of Rs. 50,000/- before the concerned Tribunal. No order as to costs.

Sd/-

(Sachin Singh Rajput)

Judge

Ami