



2026:CGHC:19119

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MAC No. 1800 of 2019**

Kulmani Raut, S/o. Shri Bhagwana Raut, Aged About 23 Years, R/o. Village - Mungaser, Thana And Tahsil – Bagbahra, Distt. – Mahasamund, Chhattisgarh.....(Claimant)

... Appellant**versus**

1 - Jayant Kumar Sahu, S/o. Shri Chhabiram Sahu, Aged About 30 Years, C/o. Ramchandra Sahu Moulibhata, Post - Sarabong, Thana And Distt. Nuapada Orissa.....(Driver Of The Vehicle No OR-26-A-6858)

2 - Manoj Kumar Sahu, S/o. Shri Ramcharan Sahu, Aged About 40 Years, R/o. Moulibhata, Post - Sarabong, Thana And Distt. – Nuapada, Orissa..... (Owner Of The Vehicle No. OR-26-A-6858)

3 - Bajaj Allianz General Insurance Company Limited, Shiv Mohan Bhawan Pandari Road Raipur, Distt. – Raipur, Chhattisgarh....(Insurer Of The Vehicle No OR-26-A-6858), District : Raipur, Chhattisgarh

... Respondents

For Appellant : Mr. Sahil Sahu, Advocate on behalf of
Mr. Sunil Sahu, Advocate

For Respondent No.3 : Mr. Utsav Mahiswar, Advocate



(Single Bench)

Hon'ble Shri Justice Sanjay K. Agrawal

Judgment on Board

25.04.2026

The default as pointed out by the Registry is ignored and the delay in filing the appeal is condoned. The appeal is heard finally.

- 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 29.01.2019 passed by learned Second Additional Motor Accident Claims Tribunal, Mahasamund (for short "*the Claims Tribunal*") in Claim Case No.H-119/2016, by which the claim application of the claimant has been allowed and an amount of Rs.1,09,305/- has been awarded as compensation to the claimant along-with interest @ 6% per annum from the date of filing of claim application for the injuries suffered by him in the accident occurred on 06.07.2013.
- 2.** Mr. Sahil Sahu, learned counsel for the appellant/ claimant, would submit that just & proper compensation has not been awarded to the claimant by the learned Claims Tribunal, therefore, the amount of compensation be enhanced suitably.
- 3.** Mr. Utsav Mahiswar, 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. After hearing learned counsel appearing for the parties and after going through the record, the compensation awarded appears to be lower side and accordingly, Rs. 40,000/- more is awarded in addition to the amount already awarded by the learned Claims Tribunal. Hence, the claimant is entitled for an additional amount of **Rs. 40,000/-** in addition to the amount of compensation already awarded by the Claims Tribunal. The concerned respondent is directed to deposit the amount of compensation as enhanced by this Court within a period of 30 days from the date of receipt of a copy of this order. 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.
6. 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