



2026:CGHC:3538



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 2046 of 2024

1. Rakesh Kumar Sevta S/o Shri Johan Lal Sevta, Aged About 44 Years R/o Village-Tirga, Post-Tirga, Thana-Anda, Tehsil And District-Durg (C.G.) -----
(Claimant)
2. Sumitra Sevta W/o Rakesh Kumar Sevta, Aged About 40 Years R/o Village-Tirga, Post-Tirga, Thana-Anda, Tehsil And District-Durg (C.G.) -----
(Claimant)

... Appellant(s)

versus

1. Jitendra Kumar Alias Anil Yadav, R/o Camp No. 01, House No. 115, Ward No. 21, Bhilai, District-Durg (C.G.) -----(Driver And Owner Of Vehicle No. Cg-07-Bp-6381)
2. Bhanch Manager, New India Insurance Company Limited, Registered Office New Bus Stand Rajnandgaon, District-Rajnandgaon, (C.G.) -----
(Insurance Company)

... Respondent(s)

For Appellants	: Mr. Manish Sharma, Advocate holding the
brief	of Mr. Gaurav Singhal, Advocate
For Respondent No. 2/ Insurance Company	: Ms. Pooja Yadav, Advocate holding the brief of Mr. Shivendu Pandya, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

21.01.2026

1. Heard on admission.
2. The claimants have filed this appeal for enhancement of compensation assailing award passed by the learned Motor Accident Claims Tribunal, Rajnandgaon passed in Claim Case No. 121/2022 dated 30.01.2024, whereby the learned Tribunal has granted compensation to the tune of Rs. 15,63,448/- with interest at the rate of 6% per annum on account of death of Prashant Sevta.



3. The facts in brief are that on 16.05.2022 Prashant Sevta was going to village Tirga, and at the same time, the Truck container bearing registration No. CG 07 BP 6381 dashed the bike, resultantly, he sustained injuries and succumbed to death. The claimants who are parents of the deceased filed claim case under Section 166 of Motor Vehicle Act, wherein they pleaded that at the time of accident age of the deceased was 16 years and earning Rs. 30,000/- per month. They claimed a sum of Rs. 1,30,00,000/-. The Insurance Company filed reply and took a plea that on the date of accident, the deceased did not have valid and effective driving license and there was contributory negligence. The learned Tribunal framed issues, parties led evidence, and thereafter, award was passed.
4. Learned counsel appearing for the appellants would submit that the learned Tribunal has not considered income part of the deceased properly and failed to award proper compensation on conventional heads. He would pray to enhance the compensation.
5. On the other hand, Ms. Pooja Yadav, Advocate appearing for Insurance Company would oppose.
6. I have heard learned counsel for the parties and perused the record with utmost circumspection.
7. The age of the deceased was 16 years. Though, the claimants could not prove income of the deceased, but the learned Tribunal applied minimum wages matrix and assessed income of the deceased Rs. 9,540/- per month. The learned Tribunal deducted $\frac{1}{2}$ of income for personal and living expenses of the deceased and applied multiplier of 18. The learned Tribunal further granted 40% compensation for future prospects and also granted compensation for funeral expenses, loss of estate and loss of consortium. The finding recorded by the learned Tribunal with regard to



assessment of compensation appears to be just and proper. I do not find any good ground to interfere with the findings recorded by the learned Tribunal.

8. Accordingly, this appeal fails and is hereby **dismissed**.

Sd/-
(Rakesh Mohan Pandey)
Judge

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