



2026:CGHC:21107

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 2115 of 2019

1 - Kamal Kishore Sahu S/o Shadul Sahu Aged About 28 Years R/o Tilda
(Behind Garden) P.O. And P.S.- Nevra, District- Raipur, Chhattisgarh.,
District : Raipur, Chhattisgarh

... Appellant

versus

1 - Bharat Mendey S/o Shrivan Mendey, R/o Bheem Nagar Supela, Near
Deepak Kirana Stores, P.S.- Supela, District- Durg, Chhattisgarh. (Driver Of
Truck No. C.G. 07 Ca - 6986)

2 - Rupinder Singh S/o Sagar Singh, R/o Dharmendra Road Lines,
Transport Nagar, Hathkhoj, Bhilai, P.S.- Bhilai-3, District- Durg,
Chhattisgarh. (Owner Of Truck No. C.G. 07 Ca - 6986)

3 - The New India Insurance Co. Ltd. Through- Divisional Manager, The
New India Insurance Co. Ltd. Jail Road, Tahsil And District- Raipur,
Chhattisgarh. (Insurer Of Truck No. C.G. 07 Ca - 6986)

... Respondent(s)

For Appellant : Mr. Satyendra Shrivastava on behalf of Mr.
Rakesh Kumar Thakur, Advocates

For Respondent No. 3 : Mr. Dashrath Gupta, Advocate

SB - Hon'ble Shri Justice Sanjay K. Agrawal

Judgment on Board

06.05.2026

1. The instant appeal under Section 173 of Motor Vehicle Act, 1988 has been preferred by the appellant/claimant seeking enhancement of compensation, challenging the impugned award dated 16/11/2017 passed by learned 2nd Additional Motor Accident Claims Tribunal, Raipur in Claim Case No. 56/2014 whereby compensation of Rs. 7,71,878/- has been awarded in favour of the appellant/claimant for the injuries sustained by him.
2. Learned counsel for the appellant/claimant would submit that the appellant/claimant has suffered grievous injuries due to the accident and looking to the injuries suffered by the appellant/claimant, the compensation awarded by the Claims Tribunal is grossly inadequate, therefore, it may suitably be enhanced.
3. Learned counsel for respondent No. 3 would support the impugned award and submit that the compensation awarded by

the Claims Tribunal is just and proper, as such, the instant appeal is liable to be dismissed.

4. I have heard learned counsel for the parties, considered their rival submissions made herein-above and went through the records with utmost circumspection.

5. A careful perusal of the impugned award would show that the Claims Tribunal has awarded Rs. 7,21,878/- for medical expenses incurred by the appellant, Rs. 15,000/- for nutritional food and transportation and Rs. 35,000/- for loss of income and physical and mental agony and thereby, granted a total compensation of Rs. 7,71,878/- in favour of the appellant/claimant, however, looking to the injuries suffered by the appellant as well as considering the facts and circumstances of the case, the compensation awarded by the Claims Tribunal under the heads other than medical expenses appears to be on the lower side. Thus, I deem it appropriate to award an additional sum of **Rs. 65,000/-** as compensation to the appellant/claimant in addition to the compensation already awarded by the Claims Tribunal. Respondent No. 3 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 copy of this order. The additional amount of compensation shall carry interest @ 9%

per annum from the date of filing of claim application before the Tribunal i.e. 20/01/2014 till its realization. Rest of the conditions of the impugned award shall remain intact.

- 6.** Accordingly, the impugned award is modified and the instant appeal is allowed to the extent indicated herein-above.

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet