



2026:CGHC:2931

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MAC No. 1976 of 2023**

1. Smt Asha Devi S/o Shri Patiram Sao, Aged About 45 Years R/o 6/675 Nageshwar Nagar Near Kabir Stambh, Birgaon Urla, Tehsil And District Raipur Chhattisgarh
2. Shri Patiram Sao S/o Umashankar Sao, Aged About 50 Years R/o 6/675 Nageshwar Nagar, Near Kabir Stambh, Birgaon Urla, Tehsil And District Raipur Chhattisgarh. (Driver)

... Appellant(s)**versus**

1. Mahesh Kumar Dewangan S/o Late Ramhau Dewangan, Aged About 60 Years (Husband Of The Deceased) By Caste Kosta, Occupation Tailor R/o Village Rivagahan, Post Pendrei Police Station Labag, Tehsil And District Rajnandgaon Chhattisgarh.
2. Poonam Kumar Dewangan S/o Mahesh Kumar Dewangan, Aged About 42 Years (S/o The Deceased) By Caste Kosta, Occupation Laborer R/o Village Rivagahan, Post Pendrei Police Station Labag, Tehsil And District Rajnandgaon Chhattisgarh.
3. Deepak Kumar Dewangan S/o Mahesh Kumar Dewangan, Aged About 38 Years (S/o The Deceased) By Caste Kosta, Occupation Laborer R/o Village Rivagahan, Post Pendrei Police Station Labag, Tehsil And District Rajnandgaon Chhattisgarh.
4. Mukesh Kumar Dewangan S/o Mahesh Kumar Dewangan, Aged About 34 Years (S/o Deceased) By Caste Kosta, Occupation Laborer R/o Village Rivagahan, Post Pendrei Police Station Labag, Tehsil And District Rajnandgaon Chhattisgarh.
5. Smt. Sangeeta Dewangan W/o Radhelal, Aged About 36 Years By Caste Kosta, Occupation Homemaker R/o Village Markamtola, Post Singarpur, Thana Khairagarh Tehsil And, District : Rajnandgaon, Chhattisgarh
6. National Insurance Company Ltd. Through Baanch Manager Office Koshabadi, Korba Teh And District Korba Chhattisgarh (Insurer)

... Respondent(s)

For Appellants/Owner & Driver : Mr. Ritesh Sahu, Advocate holding the brief
of Mr. Ravikar Patel, Advocate
For Respondents No. 1 to 5 : Mr. Rajendra Patel, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board**19.01.2026**

1. The appellants/ Owner & Driver have challenged the award passed by the learned 1st Additional Motor Accident Claims Tribunal, Rajnandgaon in Claim Case No. 156/2018 dated 07.12.2019, whereby the learned Tribunal has granted compensation to the tune of Rs. 5,65,000/- with interest at the rate of 8.5% per annum on account of death of Kaushlya Bai in motor accident.
2. The owner and driver have filed appeal challenging the liability and sought for relief as under :-

“It is therefore prayed that this Hon’ble Court may kindly be pleased to enhance the award and claim of the appellant Passed By The Learned Smt Himanshu Jain Second additional Motor Accident Claims Tribunal Korba District Korba In MACT No.37/2018 (Annexure A/1) in the interest of justice.”

3. As the owner and driver of the offending vehicle have sought for relief of enhancement of award passed by the learned Claims Tribunal, which is not permissible as they have challenged the liability part and no such relief can be granted. Accordingly, this appeal fails and is hereby dismissed.

Sd/-
(Rakesh Mohan Pandey)
Judge