



2026:CGHC:18786



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HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 2184 of 2025

1 - Smt. Rajmuni Marawi W/o Late Daya Ram Marawi Aged About 39 Years R/o Village- Trikunda, (Chtani Para) Police Station- Trikunda, Tehsil- Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh

2 - Kumari Manta Marawi D/o Late Daya Ram Marawi Aged About 15 Years Through Her Mother Smt. Rajmuni Marawi, W/o Late Daya Ram Marawi, R/o Village- Trikunda, (Chtani Para) Police Station- Trikunda, Tehsil- Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh

3 - Shivbrat Marawi S/o Late Daya Ram Marawi Aged About 12 Years Through Her Mother Smt. Rajmuni Marawi, W/o Late Daya Ram Marawi, R/o Village- Trikunda, (Chtani Para) Police Station- Trikunda, Tehsil- Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh

4 - Kumari Manita Marawi D/o Late Daya Ram Marawi Aged About 10 Years Through Her Mother Smt. Rajmuni Marawi, W/o Late Daya Ram Marawi, R/o Village- Trikunda, (Chtani Para) Police Station- Trikunda, Tehsil- Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh

5 - Shadari Marawi Alias Sahidari Marawi W/o Late Sita Ram Marawi Aged About 65 Years R/o Village- Trikunda, (Chtani Para) Police Station- Trikunda, Tehsil- Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh

... Appellant(s)

versus

1 - Ravindra Pal S/o Late Sanjay Pal Aged About 26 Years R/o Village - Nawadih, Mohalla-Sitachunwa, Post- Krishnnagar, Police Station- Trikunda, Tehsil- Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh (Driver Cum Owner)

2 - National Insurance Company Limited Through Its Divisional Manager, Divisional Office- Core-3, Second Floor, Scope Minar, Lakshmi Nagar, Delhi, Pin Code- 110092, Through - Divisional Manager, National Insurance Company Limited, Divisional Office- Mobin Mahal, Second Floor, G.I. Road, Raipur, District- Raipur, Chhattisgarh. (Insurer)

... Respondent(s)



For Appellants	: Mr. Aditya Kumar Mishra, Advocate
For Respondent Nos. 1	: Mr. Jai Prakash Shukla, Advocate
For Respondent No. 2	: Mr. P. Dutta, Advocate

Hon'ble Shri Justice Sachin Singh Rajput,

Order on Board

23.04.2026

- 1) This appeal under Section 173 of the Motor Vehicles Act, 1988 (for short, "MV Act") has been preferred by the appellants/claimants, being aggrieved by the award dated 12.08.2025 passed by the Court of learned Motor Accident Claims Tribunal, Balrampur at Ramanujganj (C.G.) (for short, "the learned Tribunal") in Claim Case No. 98/2024.
- 2) By the impugned award, the learned Tribunal has awarded compensation of Rs. 15,46,250/- to the appellants/claimants on account of the death of deceased Daya Ram Maravi in a motor accident that occurred on 03.09.2024 due to rash and negligent driving of the offending vehicle bearing Registration No. CG-30-D-0154, driver cum owner by respondent No. 1 and insured with respondent No. 2. As a result of the said accident, the deceased sustained fatal injuries and succumbed to the same.
- 3) As per the pleadings, the deceased Daya Ram Maravi was aged about 40 years and was working as a labourer, earning Rs. 15,000/- per month. The appellants/claimants were wholly dependent upon his income, Therefore, the claimants have filed the application seeking compensation of Rs. 31,60,000/- on account of the death of the deceased."
- 4) Respondent No. 1 (driver cum owner) filed his written statement denying the averments made in the claim petition. Respondent No. 2 (Insurance Company), in the usual course, also denied the averments and further pleaded that the driver of the offending vehicle did not possess a valid and effective driving licence and that there was violation of the terms and conditions of the insurance policy.



- 5) On the basis of the aforesaid pleadings, the learned Tribunal framed five issues and, upon appreciation of the evidence available on record, decided the same in favour of the appellants/claimants and awarded the aforesaid compensation.
- 6) Learned counsel for the appellants/claimants submits that the deceased, aged about 40 years, was a labourer earning Rs. 15,000/- per month; however, the learned Tribunal has assessed his income at only Rs. 7,800/-, which warrants suitable enhancement. It is further submitted that there are 5 dependents in the family, and it is extremely difficult to sustain such a family on the meagre income assessed by the Tribunal. Hence, enhancement of compensation is prayed for.
- 7) Per contra, learned counsel for respondent Nos. 1 and 2 supports the award and submits that, in view of the evidence available on record, the findings recorded by the learned Tribunal are just and proper, and the compensation awarded is fair and reasonable.
- 8) I have heard learned counsel for the parties, considered their rival submissions, and perused the record.
- 9) Considering the evidence available on record, it is evident that the deceased was a labourer and that 5 dependents were relying upon his income, including his widow aged about 39 years, three minor children aged about 15 years, 12 years, and 10 years, and his mother aged about 65 years. The deceased was about 40 years of age at the time of the accident. Taking into account the nature of work, number of dependents, age of the deceased, date of accident, and the prevailing minimum wages at the relevant time, this Court is of the view that the income assessed by the learned Claims Tribunal is on the lower side. In the facts and circumstances of the case, and considering inflationary trends, the monthly income of the deceased is assessed at Rs. 12,000/-, which can safely be taken as a reasonable income for sustaining a family of 5 dependents.
- 10) In light of the above and taking guidance from the judgment of Hon'ble Supreme Court in the matter of **National Insurance Company Ltd. V.**



Pranay Sethi and others; (2017) 16 SCC 680, Sarla Verma & Ors. Vs. Delhi Transport Corporation & Ors; (2009) 6 SCC 121 and Magma General Insurance Co. Ltd. v. Nanu Ram @ Chuhru Ram & Ors; (2018) 18 SCC 130, this Court is recomputing the compensation as below:-

S.N	Particular	Awarded by this Court
1.	Monthly Income of the deceased	12,000/-
2.	Future Prospects @ 25%	3,000/-
3.	Total Income	15,000/-
4.	Total Yearly Income	15,000 X12= 1,80,000/-
5.	Personal expenditure (1/4)	1,80,000/4= 45,000/-
6.	Net Income	1,80,000-45,000= 1,35,000/-
7.	Multiplier of 17 applied to assess total loss of dependency	1,35,000 X15= 2,025,000/-
8.	Funeral Expenses	18,000/-
9.	Loss of estate	18,000/-
10.	Spousal Consortium to appellant No. 1	48,000/-
11	Parental Consortium to appellants No. 2 to 4	40,000x3 =1,20,000/-
12	Filial Consortium to appellant No. 5	40,000/-
	Total compensation	22,69,000/-

11) For the forgoing reasons, the appeal is allowed in part. The amount of compensation of Rs. 15,46,250/- awarded by the Tribunal is enhanced to Rs. 22,69,000/-. Hence, after deducting the amount of Rs. 15,46,250/-, the appellants/claimants are held entitled for an additional amount of Rs. 7,22,750/-. The additional amount shall carry interest @6% per annum from the date of claim appeal i.e. 08.10.2025. The impugned award stands modified to the above extent.

12) The respondent No. 2—Insurance Company is directed to deposit the amount of compensation as enhanced by this Court within a period of



sixty (60) days from today. Upon such deposit being made, a sum of Rs. 1,50,000/- each shall be invested in the name of appellants No. 2 to 4 in the form of a Fixed Deposit Receipt (FDR) in any Nationalized Bank until they attain the age of majority. A sum of Rs. 1,50,000/- shall be invested in the name of appellant No.1 in FDR in any Nationalized Bank for a period of two years. Rs. 50,000/- shall be disbursed to the appellant No. 5. The balance amount shall be released to appellant No. 1 by way of bank transfer/account payee cheque.

13) Consequently, the appeal is partly **allowed**.

Sd/-

(Sachin Singh Rajput)
Judge

Jyoti