

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 2589 of 2025**

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KANCHANBEN RAJESHBHAI CHAUHAN & ORS.

Versus

PRASHANTKUMAR MAHESHKUMAR SADHNANI & ANR.

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Appearance:

MR.HIREN M MODI(3732) for the Appellant(s) No. 1,2,3

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CORAM:**HONOURABLE MS. JUSTICE NISHA M. THAKORE****Date : 22/08/2025****ORAL ORDER**

[1] Heard Mr. Hiren Modi, learned advocate on record for the appellants who are heirs and legal representatives of the original claimant, namely, Rajeshbhai Rupabhai Chauhan.

[2] At the outset, learned advocate has invited my attention to the fact that the original claimant – Rajeshbhai has expired after the pronouncement of the impugned judgment and award and the present appeal is filed by the appellants who are heirs and legal representatives of the deceased – original claimant. The impugned judgment and award is assailed mainly on the ground that the amount of compensation awarded by the Tribunal is lower side by submitting that the original claimant had remained bedridden all throughout after the occurrence of the accident. Despite, the Tribunal has considered functional disability to the extent of 50% only while considering the loss of future income.

[3] Learned advocate has further submitted that the Tribunal

has completely ignored the nature of injuries sustained and the work attended by the deceased – claimant. He has also disputed the income of the claimant being confined to Rs.6,000/- p.m. by submitting that the certificate of income has also been produced on record at exhibit-59. He has further submitted that even in case the said documents are not on record, the Tribunal at least should have considered the prescribed rate of minimum wages, in order to assess just and proper compensation.

[4] Considering the aforesaid submissions, the appeal deserves consideration at this stage. Hence, **ADMIT**.

[5] Registry is directed to call for the record and proceedings.

Lalji Desai

(NISHA M. THAKORE,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: LALJI DESAI(HC01558), PRIVATE SECRETARY, at High Court of Gujarat on 25/08/2025 16:26:59