

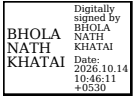


CGHC010088982025



2026:CGHC:44233

NAFR



HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 571 of 2025

- 1** - Shri Manbharan Urre S/o Manglu Singh Aged About 40 Years R/o Village Kartali P.S. And Tehsil Pali District - Korba (C.G.) (Claimants)
- 2** - Smt. Nira Bai W/o Manbharan Aged About 39 Years R/o Village Kartali P.S. And Tehsil Pali District - Korba (C.G.)
- 3** - Rajmati (Minor) D/o Manbharan Aged About 15 Years Through Her Father Manbharan Urre S/o Manglu Singh Aged About 40 Years) R/o Village Kartali P.S. And Tehsil Pali District - Korba (C.G.)
- 4** - Jitendra Kumar Urre (Minor) S/o Manbharan Aged About 12 Years Through His Father Manbharan Urre S/o Manglu Singh Aged About 40 Years) R/o Village Kartali P.S. And Tehsil Pali District - Korba (C.G.)
- 5** - Rajkumari Urre (Minor) D/o Manbharan Aged About 6 Years Through Her Father Manbharan Urre S/o Manglu Singh Aged About 40 Years) R/o Village Kartali P.S. And Tehsil Pali District - Korba (C.G.)

... Appellant(s)

versus

- 1** - Shri Ajay Kumar Uikey S/o Bhawar Singh Aged About 30 Years R/o Village Kartali P/o Pali P.S. And Tahsil Pali District - Korba (C.G.) (Driver Of Tractor No. CG- 12 - BK 2670)

2 - Balwan Singh Jagat S/o Ramkrishan Jagat R/o Village Nawapara (Saila) P/o Pali P.S. And Tahsil Pali District - Korba (C.G.) (Owner Of Tractor No. CG- 12 BK- 2670)

3 - S.B.I. General Insurance Company Ltd. Through Branch Manager Second Floor Rama Port Vypar Vihar Bilaspur District - Bilaspur (C.G.) (Offending Tractor No. CG- 12 - BK - 2670 Was Insured)

... Respondent(s)

For Appellant(s) : Ms. Swati Rani Saraf, Adv., on behalf of
Mr. R. S. Patel, Advocate

For Respondent : Mr. K. P. S. Gandhi, Advocate
No.3

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Judgment on Board

(13.10.2026)

1. With the consent of learned counsel appearing for the appellants and the Insurance Company, the matter was heard finally.
2. This appeal under Section 173 of the Motor Vehicles Act, 1988 has been preferred by the appellants/claimants seeking enhancement of the amount of compensation, challenging the impugned award dated 13.02.2025 passed by the First Additional Motor Accident Claims Tribunal, Katghora, District Korba (C.G.), in Motor Accident Claim Case No.110/2023, whereby the Claims Tribunal has awarded a total sum of ₹15,28,080/- as compensation for the death of Rajendra Singh Urre, who died in a road accident that took place on 11.07.2023.
3. Learned counsel appearing for the appellants/claimants submits that the Claims Tribunal has committed an error in

assessing the monthly income of the deceased at ₹8,400/-, which, according to him, is even lower than the minimum wages payable to an unskilled labourer at the relevant time. It is further submitted that the compensation awarded under the conventional heads is also inadequate and deserves to be enhanced in accordance with the principles laid down by the Hon'ble Supreme Court. It is, therefore, prayed that the instant appeal be allowed and the compensation awarded by the Claims Tribunal be suitably enhanced.

4. Per contra, learned counsel appearing for the respondent No.3 Insurance Company opposes the submissions made on behalf of the appellants and submits that, in the facts and circumstances of the case, the award passed by the Claims Tribunal is just and proper and does not call for any enhancement.
5. Heard learned counsel for the parties and perused the record with due circumspection.
6. Though it has been claimed by the claimants that, at the time of accident, the deceased was earning ₹15,000/- per month by working as a mason, no credible evidence has been adduced on record to substantiate the said claim. The accident occurred on 11.07.2023 and, at the relevant time, the minimum wages prescribed even for an unskilled labourer were ₹9,960/- per month. Accordingly, the monthly income of the deceased is reassessed at ₹9,960/-.
7. The deceased was unmarried, aged about 20 years and a non-salaried person at the time of accident. There are five claimants in the present case who are the parents and 3 minor siblings of the deceased.
8. Considering the date of accident, the age of the deceased and

the number of claimants, this Court finds that the addition towards future prospects, deduction towards personal expenses and the multiplier applied by the Claims Tribunal are just, proper and in accordance with law. However, the amounts awarded by the Claims Tribunal under the conventional heads are required to be suitably enhanced in view of the law laid down by the Hon'ble Supreme Court.

9. Thus, in light of the aforesaid discussion and the judgments of the Hon'ble Supreme Court in **National Insurance Company Ltd. V. Pranay Sethi¹, Sarla Verma & Ors. Vs. Delhi Transport Corporation & Ors² and Magma General Insurance Co. Ltd. v. Nanu Ram @ Chuhru Ram & Ors³**, the compensation is recomputed as under:-

Sl. No.	Heads	Compensation awarded by the Tribunal	Compensation awarded by this Court
1.	Income	8,400 × 12 = 1,00,800	9,960 × 12 = 1,19,520
2.	Future prospects	(+) 40% (i.e. 40,320) = 1,41,120	(+) 40% (i.e. 47,808) = 1,67,328
3.	Deduction towards personal expenses	(-) 1/2 = 70,560	(-) 1/2 = 83,664
4.	Multiplier	(×) 18 = 12,70,080	(×) 18 = 15,05,952
5.	Funeral Expenses	16,500	18,000
6.	Loss of Estate	16,500	18,000
7.	Loss of Consortium	2,20,000	2,40,000 (48,000 x 5)
8.	Transportation of dead body	5,000	Nil
	Total	₹15,28,080/-	₹17,81,952/-

10. In view of the aforesaid analysis, the amount of compensation

1 (2017) 16 SCC 680
2 (2009) 6 SCC 121
3 (2018) 18 SCC 130

of ₹15,28,080/- awarded by the Claims Tribunal is enhanced to ₹17,81,952/-. Thus, after deducting the amount already awarded by the Claims Tribunal, the appellants/claimants are held entitled to an additional amount of **₹2,53,872/-**. The additional amount of compensation shall carry interest at the rate of 6% per annum from the date of filing of the claim petition before the Tribunal till its realization. The remaining terms and conditions of the impugned award shall remain unaltered.

- 11.** In the result, the appeal is **partly allowed** and the impugned award is modified to the extent indicated hereinabove.
- 12.** The Registry is directed to communicate to the claimants, in writing, the enhanced/additional amount awarded in the present appeal over and above the amount awarded by the concerned Claims Tribunal. Such communication shall be made in Hindi (Devanagari) language, and the assistance of Para-Legal Volunteers may be availed in coordination with the Secretary, District Legal Services Authority of the concerned area where the claimants reside.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Khatai