



CGHC010131092023

2026:CGHC:43722

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 897 of 2023

- 1** - Girja Bai Gond W/o Late Ashok Kumar Gond Aged About 33 Years R/o- Sankar Thana And Tahsil Akaltara, District- Janjgir Champa Chhattisgarh.
- 2** - Uday Kumar Gond S/o Late Ashok Kumar Gond, Aged About 4 Years R/o- Sankar Thana And Tahsil Akaltara, District- Janjgir Champa Chhattisgarh. Appellant No.2 Is Minor Through Legal Gaurdian Mother Girija Bai Gond Appllant No.1.
- 3** - Rambati W/o Late Duryodhan Gond Aged About 75 Years R/o- Sankar Thana And Tahsil Akaltara, District- Janjgir Champa Chhattisgarh.

... Appellant(s)

versus

- 1** - Gurnam Singh S/o Kulwant Singh Aged About 49 Years R/o- L.Ig.1/77 Dhancha Bhawan Kurud Road Bhilai, District- Durg (C.G.). Hall Mukam- Housing Board Bhilai, Thana- Jamul, District- Durg (C.G.). (Driver Of The Offending Vehicle Car No. C.G.04/ H.C./7007).
- 2** - M/s Milton Elevator, Address- C/o Karan Talreja Housing No.12/1034 Raman Mandir Gunj, Raipur Tahsil And District- Raipur (C.G.).(Owner Of The Offending Vehicle Car No. C.G. 04/h.C./7007).
- 3** - Branch Manager, The National Insurance Company Limited, Branch Office, 1st Floor, Agrawal Chamber Byapar Vihar,

Thana- Civil Line Bilaspur, Tahsil And District And District-
Bilaspur (C.G.).(Insurer Of The Offending Vehicle Car No.
C.G.04/H.C./7007).

... Respondent(s)

For Appellant(s)	: Mr. A. L. Singroul, Advocate
For Respondent No.3	: Mr. Ashish Gupta, Advocate

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order on Board

(08.10.2026)

1. 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 15.02.2023, passed by the 6th Additional Motor Accident Claims Tribunal, Bilaspur (CG), in Claim Case No.645/2021, whereby the Claims Tribunal has awarded a total sum of Rs.14,58,600/- as compensation for the death of Ashok Kumar Gond, who died in a road accident that took place on 14.12.2020.
2. Learned counsel appearing for the appellants/claimants submits that the Tribunal has committed a manifest error in assessing the monthly income of the deceased at Rs.7,700/-, which, according to him, is even lower than the minimum wages payable to an unskilled labourer at the relevant time. Hence, he prays that the instant appeal may kindly be allowed and the compensation awarded by the Tribunal be suitably enhanced in accordance with law.
3. On the other hand, learned counsel appearing for respondent No.3 Insurance Company opposes the submission made by the counsel for appellants and

submits that in the facts and circumstances of case, the award passed by the Tribunal is just & proper and does not require any enhancement.

4. I have heard learned counsel for the parties, considered their submissions made herein-above and went through the records with utmost circumspection.
5. Though it has been claimed by the claimants that the deceased was earning Rs.15,000/- per month by working as a mason, no documentary evidence has been brought on record to substantiate the said income. The accident occurred on 14.12.2020 and the minimum wages of even an unskilled labourer at that time was Rs.8,960/-. Accordingly, the monthly income of the deceased is reassessed at Rs.8,960/-.
6. On the date of accident, the deceased was aged about 37 years and a non-salaried person. There are total three claimants who are the wife, one son & mother of the deceased.
7. Considering the date of the accident, the age of the deceased and the number of claimants, this Court finds that the addition towards future prospects, the deduction towards personal expenses, the multiplier applied and the amount granted under conventional heads by the Tribunal are just, proper and in accordance with law.
8. 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 @**

¹ (2017) 16 SCC 680

² (2009) 6 SCC 121

Chuhru Ram & Ors³, the compensation is recomputed as under:-

Sl. No.	Heads	Compensation awarded by the Tribunal	Compensation awarded by this Court
1	Income	7,700 x 12 =92,400	8,960 x 12 =1,07,520
2.	Future prospects	(+)40% (i.e.36,960) = 1,29,360	(+)40% (i.e.43,008) = 1,50,528
3.	Deduction	(-) 1/3rd (i.e. 43,120) = 86,240	(-)1/3 (i.e. 50,176) = 1,00,352
4.	Multiplier	(x) 15 =12,93,600	(x) 15 = 15,05,280
5.	Funeral Expenses	16,500	16,500
6.	Loss of Estate	16,500	16,500
7.	Loss of consortium	1,32,000 (44,000 x 3)	1,32,000 (44,000 x 3)
	Total	Rs. 14,58,600/-	Rs. 16,70,280/-

9. In view of the aforesaid analysis, the compensation of Rs.14,58,600/- awarded by the Claims Tribunal is hereby enhanced to Rs.16,70,280/-. Consequently, after adjusting the amount already awarded by the Tribunal, the appellants/claimants are entitled to an additional amount of **Rs.2,11,680/-**. The aforesaid additional/enhanced 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.

10. In the result, the appeal is **partly allowed** and the impugned award stands modified to the extent as indicated herein-above.

11. The Registry is directed to communicate the claimants in

writing “the enhanced/additional amount” in this appeal as against the award made by the concerned Tribunal. The said communication be made in Hindi Deonagri language and the help of paralegal workers may be availed with a co-ordination of Secretary, Legal Aid of the concerned area wherein the claimants reside.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Khatai