



CGHC010138822023



2026:CGHC:43721

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 758 of 2023

1 - Smt. Priti Diwan W/o Late Lokeshwar Diwan Aged About 30 Years R/o Diwanpara, Goida Chhatera, Police Station And Tahsil - Arang, District : Raipur, Chhattisgarh.

2 - Ku. Tinkal Diwan D/o Late Lokeshwar Diwan Aged About 9 Years Minor on Behalf of through their legal Guardian Mother Smt. Priti Diwan Appellant No. 1, R/o Diwanpara, Goida Chhatera, Police Station and Tahsil - Arang, District : Raipur, Chhattisgarh.

3 - Ku. Tejaswai Diwan D/o Late Lokeshwar Diwan Aged About 6 Years Minor on behalf of through their Legal Guardian Mother Smt. Priti Diwan Appellant No. 1, R/o Diwanpara, Goida Chhatera, Police Station And Tahsil - Arang, District : Raipur, Chhattisgarh.

4 - Ku. Kheema Diwan D/o Late Lokeshwar Diwan Aged About 4 Years Minor on Behalf Of Through Their Legal Guardian Mother Smt. Priti Diwan Appellant No. 1, R/o Diwanpara, Goida Chhatera, Police Station and Tahsil - Arang, District : Raipur, Chhattisgarh.

5 - Smt. Nand Bai Diwan W/o Late Manharan Diwan Aged About 50 Years R/o Diwanpara, Goida Chhatera, Police Station and Tahsil - Arang, District : Raipur, Chhattisgarh

6 - Ku. Sarita Diwan D/o Late Manharan Diwan Aged About 24 Years R/o Diwanpara, Goida Chhatera, Police Station and Tahsil - Arang, District : Raipur, Chhattisgarh

... Appellants

versus

1 - Kamlesh Nirmalkar S/o Om Prakash Nirmalkar Aged About 25 Years R/o Azad Chowk, Ward No. - 5, Arang, Police Station And Tahsil - Arang, District Raipur Chhattisgarh, (Driver Of Vehicle Alto Car Bearing Registration No. CG/04/HB-3390).

2 - Arun Kumar Bhoi S/o Shri Banshidhar Bhoi Aged About 45 Years Caste - Bhoi, R/o - Subhash Nagar, Professor Colony, Raipur, Tahsil Raipur, District Raipur Chhattisgarh, (Registered Owner of Vehicle Alto Car Bearing Registration No. CG/04/HB/3390)

3 - The New India Insurance Company Limited through Divisional Office, Divisional Manager, Second Floor, Investment Building Phase - 1, Jeevan Beema Marg, Pandri, Raipur Tahsil Raipur, District Raipur Chhattisgarh, (Insurer of Vehicle Alto Car Bearing Registration No. Cg/04/HB/3390)

... Respondents

For the appellants : None

For Respondent no.3 : Mr. Divyanand Patel, Advocate

For other respondents : None

(Hon'ble Shri Justice Sanjay Kumar Jaiswal)

Order on Board

08.10.2026

By this appeal filed u/s 173 of the Motor Vehicles Act, 1988, the appellants-claimants seeking enhancement of the award dated 08.09.2022 passed by the learned XI Additional Motor Accident Claims Tribunal, Raipur, District Raipur (C.G) in Claim Case No. 77/2020.

On previous date of hearing i.e.,22.07/2026, no one has chosen to appear on behalf of the appellants.

Even today when the matter is taken up for hearing no one appears for the appellants. Since the appellants are not showing the interest in pursuing the appeal despite repeated calls, this Court is left with no other way except to dismiss the petition for want of prosecution.

Accordingly, this appeal is dismissed for want of prosecution.

Sd/-

(Sanjay Kumar Jaiswal)
Judge

Rao

Digitally
signed by
ALLENA ANNAJEE
RAO RAO
Date:
2026.10.09
10:16:41
+0530