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HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 1015 of 2026

1 - Bharti Dhruv Wd/o Late Rup Singh Dhruv, Aged About 29 Years
R/o Village Sajapali, police Station Chhura, District Gariyaband (C.G.)

2 - Minor Kumkum Dhruv S/o Late Rup Singh Dhruv, Aged About 3
Years Appellant No. 2 And 3 Are Minor Through Legal Guardian
Mother Bharti Dhruv W/o Late Rup Singh Dhruv, R/o Village
Sajapali, Police Station Chhura, District Gariyaband (C.G.)

3 - Minor Hitesh Dhruv S/o Late Rup Singh Dhruv, Aged About 9
Years Appellant No. 2 And 3 Are Minor Through Legal Guardian
Mother Bharti Dhruv W/o Late Rup Singh Dhruv, R/o Village
Sajapali, Police Station Chhura, District Gariyaband (C.G.)

4 - Jivanram S/o Umendram Aged About 54 Years R/o Village
Sajapali, Police Station Chhura, District Gariyaband (C.G.)

5 - Ramhin W/o Jivanram, Aged About 50 Years R/o Village Sajapali,
Police Station Chhura, District Gariyaband (C.G.)

... Appellants

versus

1 - Lekhram Sahu S/o Johan Lal R/o Village Pokhra, Police Station
Rajim, District Gariyaband (C.G.) (Driver And Owner Of Alleged
Offending Vehicle Bearing Registration No. Cg-04-Pg-4809)

2 - Branch Manager, Universal Shompo General Insurance Company Limited, First Floor B-7, Shriram Nagar, T.V. Tower, Road Raipur, Tahsil And District Raipur (C.G.) (Insurer Of Alleged Offending Vehicle Bearing Registration No. Cg-04-Pg-4809)

--- **Respondent(s)**

For Appellants	:	Mr. C.R. Sahu, Advocate
For Respondents	:	None

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Judgment on Board

(16.10.2026)

1. This appeal under Section 173 of the Motor Vehicles Act, 1988 (for short the "Act of 1988") has been preferred by the appellants/claimants seeking enhancement of the amount of compensation, challenging the impugned award dated 11.02.2026, passed in Claim Case No.12/2024 by learned Additional Motor Accident Claims Tribunal, Gariyaband (CG), whereby the learned Claims Tribunal has awarded a total sum of Rs.17,40,760/- as compensation for the death of Roop Singh who was aged about 28 years and died in a road accident which took place on 26.01.2024.
2. Learned counsel for the appellant would submit that the learned Claims Tribunal has erred in awarding lesser amount of compensation in the facts of the case. The Claims Tribunal has assessed the income of the deceased on the lower side and has also awarded lesser amount under other conventional heads, which needs to be enhanced. Therefore, the instant appeal be allowed and the compensation awarded by the Claims Tribunal may

suitably be enhanced.

- 3. None appeared on behalf of the Respondents.
- 4. I have heard learned counsel appearing for the appellant, considered his rival submissions made herein-above and went through the records with utmost circumspection.
- 5. In the case at hand, it is true that the learned Tribunal has taken the monthly income of the deceased to be Rs.7800/-, which ought to be Rs.10100/- as per the Chhattisgarh Minimum Wages Notification issued by the office of Labour Commissioner, Chhattisgarh. Furthermore, in other conventional heads the Tribunal has granted only Rs.70,000 which ought to be 2,76,000/-, to that extent the impugned award needs to be modified.
- 6. Thus, in light of the aforesaid discussion and in light of the judgments of the Supreme Court rendered in the matters of **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**, this Court is computing the compensation as below:-

Sr. No.	Heads	Compensation awarded by the Tribunal	Compensation awarded by this Court
1	Income	Rs. 7800 x 12 = 93,600/-	Rs. 10100 x 12 = 1,21,200/-
2.	Future prospect	(+)40% (i.e. Rs. 37440) = 1,31,040/-	(+)40% (i.e. Rs. 48,480) = 1,69,680/-
3.	Deduction	(-) 1/4 (i.e.	(-) 1/4 (i.e. 42420)

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

		32760) = 98,280/-	= 1,27,260/-
4.	Multiplier	(x) 17 = 16,70,760/-	(x) 17 = 21,63,420/-
5	Other conventional heads	Rs. 70,000/-	Rs. 2,76,000/- (18000+18000+240 000)
	Total	Rs. 17,40,760/-	Rs. 24,39,420/-

7. In view of the aforesaid analysis, the amount of compensation of Rs.17,40,760/- awarded by the Claims Tribunal is enhanced to Rs.24,39,420/-. Hence, after deducting the amount of Rs.17,40,760/-, the appellants are held entitled for an additional amount of Rs.6,98,660/-. The additional amount of compensation shall carry interest @ 6% per annum from filing of the claim application before the Claims Tribunal till its realization. Rest of the conditions of the impugned award shall remain intact.
8. In the result, the appeal is **partly allowed** and the impugned award is modified to the extent as indicated herein-above.
9. The Registry is directed to communicate the claimants in writing “the enhanced 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 resides.

Sd/-
(Sanjay Kumar Jaiswal)
Judge