



CGHC010165492024

2026:CGHC:44408

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR
MAC No. 970 of 2024

1 - Lekhram Kurre S/o Uderam Kurre, Aged About 42 Years. R/o Village Sarkhor, Police Station Kasdol, District : Balodabazar-Bhathapara, Chhattisgarh.

... Petitioner(s)

versus

1 - Mukesh Kumar Sah S/o Kishun Sah, Aged About 22 Years, R/o Village Sabali, Police Station Baikunthpur, District Gopalganj (Bihar), At Present R/o Near Durga Mandir Chhota Ashok Nagar, Raipur District Raipur Chhattisgarh (Driver Of Offending Trailer No. Cg-04/jc-1085).

2 - Ashok Sen S/o Kunwar Singh Sen, Aged About 35 Years, R/o Near Durga Mandir, Chhota Ashok Nagar, Raipur District Raipur Chhattisgarh (Owner Of Offending Trailer No. Cg-04/jc-1085).

3 - Branch Manager, The New India Insurance Comapny Limited, Ambedkar Chowk, Balodabazar, District Balodabazar Bhatapara Chhattisgarh (Insurer Of Offending Trailer No. Cg-04/jc-1085).

... Respondent(s)

For Appellant : Mr. Praveen K. Dhurandhar, Advocate

For Respondent No. 3 : Ms. Swati Agrawal, Advocate on behalf of Mr. Pankaj Agrawal.

Hon'ble Shri Justice Sanjay Kumar Jaiswal
Order on Board

(14.10.2026)

1. Heard on I.A. No.01/2024, for condonation of delay in filing the appeal.
2. The present appeal has been preferred by the claimant seeking enhancement of the compensation awarded by the Claims Tribunal.

3. Upon due consideration, I.A. No.01/2024 is **allowed** and the delay of 89 days in filing the appeal stands condoned.
4. Also heard on I.A. No. 02/2024 filed by Respondent No. 3, for condonation of delay in filing the appeal.
5. Learned counsel appearing on behalf of Respondent No. 3 submits that she does not wish to press I.A. No. 02/2024.
6. In view of submission made by counsel for Respondent No. 3, I.A. No. 02/2024 is dismissed as not pressed.
7. Heard on admission.
8. This appeal under Section 173 of the Motor Vehicles Act, 1988, has been preferred by the appellant/claimant challenging the award dated 08.11.2023 passed by the learned Motor Accident Claims Tribunal, Balodabazar-Bhatapara (C.G.), in Motor Accident Claim Case No. 105/2022, whereby the Tribunal awarded a total compensation of Rs. 75,920/- to the appellant/claimant towards the damage caused to his vehicle in a motor vehicle accident that occurred on 29.07.2022.
9. Learned counsel appearing on behalf of the appellant submits that the appellant does not press his claim for enhancement of compensation towards the damage caused to his vehicle. He further submits that the learned Claims Tribunal has not awarded any compensation towards the injuries sustained by the appellant, having recorded a finding that the appellant had not sustained any injuries in the accident. He, therefore, prays that just and appropriate compensation be awarded to the appellant towards the injuries sustained by him in the accident.
10. Learned counsel appearing for Respondent No. 3 supported the impugned award.
11. Heard learned counsel for the parties and perused the record with due care and circumspection.
12. The Tribunal, while considering the injuries alleged to have been

sustained by the appellant, Lekhram Kurre, in the accident, recorded in paragraph 12 of the impugned award that no documentary or other cogent evidence, including any medico-legal certificate (MLC), had been adduced on record to substantiate the appellant's claim of having sustained injuries in the accident. It is further noted that the police had filed a charge-sheet under Section 279 of the Indian Penal Code, 1860, and not under Section 337 thereof. In the absence of any reliable evidence establishing the injuries allegedly sustained by the appellant, the Tribunal did not award any compensation under the said head.

13. Upon an overall consideration of the evidence available on record and the findings recorded by the Tribunal, this Court is of the considered opinion that the impugned award does not suffer from any illegality or infirmity warranting interference by this Court.
14. Consequently, finding no merit in the present appeal, the same is hereby **dismissed** at the admission stage.
15. No order as to costs.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

\$ourabh