



CGHC010224782026



2026:CGHC:44434

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MAC No. 1293 of 2026**

1 - Dev Singh S/o Ramdas Singh Aged About 46 Years R/o Village Dohra, Schoolpara, Police Station And Tahsil Baikunthpur, District Koriya (C.G.) (Claimant)

... Appellant**versus**

1 - Pradeep Dhanwar S/o Gangaram Dhanwar Aged About 34 Years R/o Bijuri, Post Bijuri, District Anuppur (M.P.) (Driver)

2 - Sukhmatiya W/o Late Gangaram Dhanwar Aged About 50 Years R/o Bijuri, Post Bijuri, District Anuppur (M.P.) (Owner)

3 - United India Insurance Company Ltd. Branch Office, Gopal Business Park, First Floor, 26 A.C.C. Nagar, Korba, District Korba (C.G.) (Insurer)

... Respondents

For Appellant/Claimant : Mr. Shikhar Shukla, Advocate.

For Respondents No. 1 & 2 : None.

For Respondent No. 3 : Mr. Akash Shrivastava, Advocate.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Judgment on Board****(14.10.2026)**

1. With the consent of both the parties, the matter was heard finally.

2. This appeal under Section 173 of the Motor Vehicles Act, 1988 (for short the "Act of 1988") has been preferred by the appellant/claimant seeking enhancement of the amount of

compensation, challenging the impugned award dated 07.05.2026, passed in Claim Case No. 51/2025, whereby the learned Claims Tribunal awarded a total sum of Rs. 75,071/- as compensation to the claimant/appellant for the injuries sustained in a road accident that took place on 16.04.2025.

3. Learned counsel for the appellant submits that the appellant suffered fractures in skull bone and injuries to the other parts of the body in the said accident. In light of the severity of these injuries, the compensation awarded by the learned Claims Tribunal under various heads is disproportionately low and warrants a substantial enhancement. Further, the learned Tribunal erred by failing to award any amount for loss of income during treatment. Consequently, it is respectfully prayed that the instant appeal be allowed and the compensation awarded by the Claims Tribunal be suitably enhanced.
4. Learned counsel for respondent No. 3/insurance company would submit that the Claims Tribunal after appreciating oral and documentary evidence available on record rightly awarded the compensation amount. Hence, the compensation awarded by the Claims Tribunal is just and proper and requires no interference.
5. I have heard learned counsel for the parties, considered their rival submissions made herein-above and went through the records with utmost circumspection.
6. In the present case, a perusal of the documents on record indicates that the appellant suffered fractures in skull bone, and injuries to other parts of the body, but he has not produced any documents or a medical certificate establishing any permanent disability. As evidenced by Ex. A-02, a discharge ticket, the appellant was admitted to Sharma Hospital, Baikunthpur (C.G.), from 16.04.2025 to 20.04.2025, i.e., about 5 days, during which he underwent treatment for his accident-related injuries. The appellant produced medical bills totalling Rs. 52,571/- (Ex. A-03 and Ex.A-04), which were duly

considered by the Claims Tribunal. However, this Court observes that, apart from documented expenses, a victim inevitably incurs miscellaneous out-of-pocket expenses during hospitalisation and treatment for which formal receipts cannot be produced. Consequently, in light of the facts and circumstances of the case, it is reasonable to enhance the amount on certain heads, and it is also appropriate to award Rs. 10,000/- towards loss of income during treatment.

7. Accordingly, in light of the aforesaid discussion, this Court is calculating the compensation as below:-

Sr. No.	Heads	Compensation awarded by the Tribunal	Compensation awarded by this Court
1	Towards loss of income during treatment	Nil	Rs.10,000/-
2.	Towards medical expenses	Rs. 52,571/-	Rs. 55,000/-
3.	Towards attendant	Rs. 2,500/-	Rs. 5,000/-
4.	Towards transportation and special diet	Rs. 5,000/-	Rs. 10,000/-
5.	Towards physical and mental agony	Rs. 15,000/-	Rs. 25,000/-
	Total	Rs. 75,071/-	Rs. 1,05,000/-

8. In view of the aforesaid analysis, the amount of compensation of Rs.75,071/- awarded by the Claims Tribunal is enhanced to Rs.1,05,000/-. Hence, after deducting the amount of Rs.75,071/-, the appellant is held entitled for an additional amount of **Rs.29,929/-**. The additional amount of compensation shall carry interest @ 6% per annum from the date of filing of the claim application before the Claims Tribunal till its realization. Rest of the conditions of the impugned award shall remain intact.
9. In the result, the appeal is **partly allowed**, and the impugned award is modified to the extent indicated herein-above.

- 10.** The Registry is directed to communicate the claimant/s 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 claimant/s resides.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

H.L. Sahu