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HIGH COURT OF CHHATTISGARH AT BILASPUR
MAC No. 2362 of 2026

1 - Shivilal Mandavi S/o Anandiram Mandavi, Aged About 55 Years, Both R/o Ward No. 10, Village Sarangpuri Post Office, Nuraiha, Police Station Dugli, District Dhamtari, Chhattisgarh.

2 - Jageshwari Mandavi W/o Shivilal Mandavi, Aged About 50 Years, R/o Ward No.- 10, Village Sarangpuri, Post Office, Nuraiha, Police Station Dugli, District Dhamtari, Chhattisgarh.

... Appellants**versus**

1 - Bhagwani Sahu S/o Ramlal Sahu, Aged About 54 Years, R/o Rudri, Basti, Police Station Civil Lines Rudri, District Dhamtari, Chhattisgarh. -----Driver Of Tractor No. C G -05, A P 3731.

2 - Nitish Sahu S/o Horilal Sahu, Aged About 25 Years, R/o Village Koliyari, Police Station Bhakhara, District Dhamtari Chhattisgarh. -----Owner Of Tractor No. C G -05, A P 3731.

3 - The Universal Sampo General Insurance Company Ltd. Through Authorized Officer, Address - Ashoka, Millennium Plaza 3rd Floor, Ring Road No. 01, Police Station New Rajendra, Nagar Raipur Tehsil And District Raipur Chhattisgarh. -----Insurer Of Tractor No. C G -05, A P 3731.

... Respondent(s)

For Appellant	: Mr. Satyendra Srivas, Advocate
For Respondents	: -----

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order on Board****(16.10.2026)****1.** Heard on admission.

- 2.** This appeal under Section 173 of the Motor Vehicles Act, 1988 has been preferred by the appellants/claimants challenging the award dated 21.07.2026 passed by learned 02nd Motor Accident Claims Tribunal, District Raipur (CG) in Motor Accident Claim Case No.254/2026, whereby the Tribunal has awarded a total compensation of Rs.16,44,000/- on account of the death of Nukeshwar Mandavi, who succumbed to the injuries sustained in a motor vehicle accident that occurred on 25.01.2024.
- 3.** Learned counsel appearing for the appellant submits that the Tribunal has erred in assessing the income of the deceased at Rs.10,000/- per month by treating him as an unskilled labourer. He further submits that the deceased, Nukeshwar Mandavi, was working as a mason (Rajmistri) and, therefore, ought to have been treated as a skilled labourer for the purpose of assessing his income. He, therefore, prays that the compensation awarded by the Tribunal deserves to be suitably enhanced by reassessing the income of the deceased in accordance with the law.
- 4.** Heard learned counsel for the appellant and perused the record with due care and circumspection.
- 5.** The Tribunal, while considering the income of the deceased in paragraph 13 of the impugned award, has recorded a finding that although it was claimed by the claimant that the deceased was earning Rs.10,000/- per month by working as a mason. The accident occurred on 25.01.2024. There is no clinching evidence on record to establish that the deceased was working as a mason or that he was engaged in any skilled employment. In the absence of any reliable evidence regarding the actual income or nature of employment of the deceased, the Tribunal assessed his monthly income at Rs.10,000/- on

the basis of the prevailing minimum wages applicable on the date of the accident, treating him as an unskilled labourer. Hence, this Court finds no infirmity or illegality in the assessment of the monthly income of the deceased by the Tribunal.

6. 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 compensation awarded by the Tribunal is just, fair and reasonable and does not warrant any interference.
7. Consequently, finding no merit in the present appeal, the same is hereby **dismissed** at the admission stage.
8. No order as to costs.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

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