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HIGH COURT OF CHHATTISGARH AT BILASPUR
MAC No. 2345 of 2026

- 1** - Smt. Pooja Kurre W/o Late Gunesh Kurre, Aged About 22 Years, R/o Village Lingadih, Post Office Chhatera, P.S. Arang, Distt. Raipur, Chhattisgarh.
- 2** - Amit Kurre S/o Late Gunesh Kurre, Aged About 2 Years, Through His Natural Guardian Mother Smt. Pooja Kurre, R/o Village Lingadih, Post Office Chhatera, P.S. Arang, Distt. Raipur, Chhattisgarh.
- 3** - Ashwani Kurre S/o Late Ram Aasra Kurre, Aged About 38 Years, R/o Village Lingadih, Post Office Chhatera, P.S. Arang, Distt. Raipur, Chhattisgarh.
- 4** - Bhuneshwari Kurre W/o Ashwani Kurre, Aged About 35 Years, R/o Village Lingadih, Post Office Chhatera, P.S. Arang, Distt. Raipur, Chhattisgarh.

... Appellants

versus

- 1** - Omesh Sahu S/o Tikam Sahu, Aged About 24 Years, R/o Village Singhori, P.S. Patewa, Distt. Mahasamund, Chhattisgarh. (Driver Of Motorcycle No. Cg 06/ Gt-5492).
- 2** - Mangal Singh S/o Ghansiram Aged About 50 Years R/o Village Kotanpali, P.S. Bagbahra, Distt. Mahasamund, Chhattisgarh. (Owner Of Motorcycle No. Cg 06/ Gt-5492).
- 3** - Branch Manager The Iffco-Tokio General Insurance Company Limited, Office No. 205, 2nd Floor, M.M. Silver Plaza, Opposite Udyog Bhawan, Near Mining Office, Mahavir Nagar, Raipur, Distt. Raipur, Chhattisgarh. (Insurer Of Motorcycle No. Cg 06/ Gt-5492).

... Respondent(s)

For Appellants	: Mr. Devesh G. Kela, 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 29.07.2026 passed by learned Additional Motor Accident Claims Tribunal, Mahasamund (CG) in Motor Accident Claim Case No. 111/2025, whereby the Tribunal has awarded a total compensation of Rs.24,59,712/- on account of the death of Gunesh Kurre, who succumbed to the injuries sustained in a motor vehicle accident that occurred on 01.05.2025.
3. Learned counsel appearing for the appellant submits that the deceased, Gunesh Kurre, was working as a boiler operator at R.V.S. Private Limited, Ghodari and earning Rs.18,000/- per month. However, the Tribunal has committed an error in not accepting the said claim and, while assessing the income of the deceased, has assessed his monthly income at 9,840/- as per notional income. He, therefore, submits that the compensation awarded by the Tribunal deserves to be suitably enhanced.
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 20 of the impugned award, recorded a finding that, although it was claimed by the claimants that the deceased was earning Rs.18,000/- per month by working as a boiler operator at R.V.S. Private Limited, Ghodari, no documentary or other cogent evidence had been adduced to substantiate the said claim. The accident occurred on 01.05.2025. In support of their claim, the claimants examined Ajay Sonwani (AW-3), who deposed that he had been working with the deceased at R.V.S. Private Limited and that the deceased was earning a monthly salary of Rs.18,000/-.

However, there is no cogent evidence on record to establish that the deceased was employed as a boiler operator at the said company. Further, no evidence has been adduced to establish that Ajay Sonwani himself was employed with the said company, nor has any official or authorised representative of the company been examined to corroborate the claim regarding the deceased's employment and salary. In the absence of reliable evidence establishing the actual income and nature of employment of the deceased, the Tribunal assessed his monthly income at Rs.9,840/- on the basis of the minimum wages prevailing 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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