

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MAC No. 520 of 2016

Bahorik Satnami S/o Bhurai Satnami, Aged About 60 Years
R/o Village- Sendri, Police Station- Koni, District- Bilaspur,
Chhattisgarh(Claimant)

---- Appellant

Versus

1. Rajendra Das Manikpuri S/o Gokandas Manikpuri, Aged About 32 Years R/o Chingrajpara, Sarkanda, Near Liquor Shop, Police Station- Sarkanda, Tahsil & District- Bilaspur, Chhattisgarh(Vehicle Driver- Vehicle No. C.G.-10-N.C./6098)
2. Ku. Pooja Sarthi D/o Ramavtar Sarthi, Aged About 22 Years R/o Main Road, Chantidih, Bilaspur, Police Station- Sarkanda, Tahsil & District- Bilaspur, Chhattisgarh(Owner- Vehicle No. C.G.-10-N.C./6098)
3. I.C.I.C.I. Lombard General Insurance Company Limited, Through The Branch Manager, Branch Office- V.R. Plaza, Link Road, Bilaspur, Police Station- Tarbahar, Tahsil & District- Bilaspur, Chhattisgarh(Insurer- Vehicle No. C.G.-10-N.C./6098)

---Respondents

For Appellant : Mr. Goutam Khetrapal, Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

18/04/2016

Heard on admission.

1. Learned counsel for the appellant submits that in accident resulting in an injury, the Claims Tribunal has awarded a meager amount of Rs.50,100/- only. He submits that the Learned Claims Tribunal has not awarded compensation commensurate for the pain and suffering on account of injury suffered by the appellant and no payment has been made even towards future treatment.

2. After going through the impugned order passed by the Claims Tribunal, it is found that the Claims Tribunal has awarded compensation on the basis of medical bills, which were submitted by the appellant except bill (A-10) which is found to be doubtful. The Claims Tribunal has also taken into consideration the statement of Dr. Ajay Jaiswal (PW2), who has not stated anything with regard to any need of future treatment. No permanent injury has been found. Towards pain and suffering, Rs.10,000/- has been awarded and for diet expenses, Rs.5,000/- has been awarded.

3. In view of the above, I do not find any illegality in the impugned order and compensation awarded by the Claims Tribunal appears to be just and proper.

4. The appeal is therefore dismissed.

Sd/-
(**Manindra Mohan Shrivastava**)
J U D G E