

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MAC No. 1485 of 2017**

Somendra Mishra S/o Ganesh Mishra, Aged About 23 Years R/o Rawatpura Colony, Mathpuraina, Police Station Tikrapara, Raipur, District Raipur Chhattisgarh

---- Appellant**Versus**

1. Theshwarnath Tarar S/o Late Denanath Tarar, R/o Laxmi Nagar (Besides Canal), Ekta Chowk, Raipur, Police Station Tikrapara, District Raipur Chhattisgarh
2. Smt. Saraswati, W/o Theshwarnath Tarar, R/o Laxmi Nagar (Besides Canal), Ekta Chowk, Raipur, Police Station Tikrapara, District Raipur Chhattisgarh
3. Ifko Tokiyo General Insurance Company Limited, Through In - Charge Officer / Competent Officer, Ifko Tokiyo General Insurance Company Limited, 205, M. M. Silver Plaza, Ring Road No. 1, Near Khanij Bhawan, Raipur, District Raipur Chhattisgarh

----Respondents

For Appellant	:	Mr. Amiyakant Tiwari, Advocate
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Hon'ble Shri Justice P. Sam Koshy**Order on Board****06/11/2017**

1. Heard on I.A. No.1, which is an application for condonation of delay. For the reasons assigned in the application and finding them to be satisfactory, I.A. No.1 is allowed and delay of 104 days in filing the appeal stands condoned.
2. Present is an appeal by the Claimant assailing the award dated 12.04.2017, passed by the 7th Additional Motor Accident Claims Tribunal, Raipur, Chhattisgarh, in Motor Accident Claim Case No. 425/2015.
3. Vide the impugned award the Tribunal in an injury case under Section 166 of the Motor Vehicles Act has awarded a compensation

of Rs.80,000/- with interest @ 6% per annum from the date of application.

4. A perusal of records would show that the Claimant in the instant case has not able to lead evidence of a Doctor to support the injuries and disability sustained. Further the appellant has also not furnished any disability certificate issued from the medical board assessing the permanent disability of the claimant.
5. In the absence of the any medical evidence as also the certificate of disability of permanent disability, this Court does not find any strong case made out by the claimant for interfering with the award passed by the Tribunal.
6. The appeal thus fails and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
Judge