

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MAC No. 1490 of 2017**

Alok Vishwakarma S/o Santosh Vishwakarma, Aged About 14 Years
Occupation Student Minor Through Natural Guardian Father
Santosh Kumar Vishwakarma, Aged About 37 Years, Occupation
Motor Mechanic, R/o Village Sonpurkala, Post Parsa, P. S. Kotwali,
Ambikapur, Tahsil Ambikapur, District Surguja, Chhattisgarh.

---- Appellant**Versus**

1. Gangaram S/o Guthal Ram, Aged About 50 Years Occupation-
Owner , R/o Village Kodawa, P. S. And Tahsil- Kushmi, District
Balrampur- Ramanujganj, Chhattisgarh.
2. Fakaruddin Khan S/o Late Abdul Rashid Khan, Aged About 50 Years
R/o Jarahagarh, Ambikapur, District Surguja, Chhattisgarh.
3. The Divisional Manager, Oriental Insurance Company Ltd., Mandal
Office Near Ambedkar Chowk Manendragarh Road Nagar,
Ambikapur, District Surguja, Chhattisgarh.

----Respondents

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

1. Present is a Claimant's appeal under Section 173 of the Motor
Vehicles Act. The challenge in the appeal is to the award dated
28.08.2017, passed by the Motor Accident Claims Tribunal,
Ambikapur, District Surguja, Chhattisgarh, in Motor Accident Claim
Case 27/2017.
2. Vide the impugned award the Tribunal in an injury case under
Section 166 of the Motor Vehicles Act has awarded a compensation
of Rs.3,75,180/- with interest @ 7% per annum from the date of
application.

3. The appeal is by the Claimant alleging that the Tribunal has not properly considered the bills, which were raised by the appellant in respect of the treatment and that the amount of compensation under other heads is also on the lower side.
4. However, perusal of record would show that the Claimant had though furnished a bunch of bills before the Tribunal towards the medical expenses incurred. However, on perusal it was found that these bills did not bare any signature and therefore, the Tribunal has not accepted those bills, which did not bare the signature.
5. Further it is also a case, where the treating Doctor has also not been examined by which the treatment and the related expenses incurred could have been established.
6. In view of the above, this Court is of the opinion that the bills have been rightly discarded by the Tribunal. So far as the compensation under other head are concerned, this Court is of the opinion that considering the nature of the injuries sustained by the Claimant, the Tribunal has awarded just and reasonable compensation. This Court does not find any strong case made out for the enhancement of the compensation awarded and the appeal thus fails and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge