

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 1510 of 2017

Narmadeshwar Yadav S/o Shri Giriwar Yadav, Aged About 36 Years
R/o Nawapara, Ambikapur, Police Station Gandhinagar, Tahsil
Ambikapur District Surguja Chhattisgarh

---- Appellant

Versus

1. Manoj Kujur S/o Shri Lajsus, Aged About 38 Years R/o Village Maina, Police Station Sanna, District Jashpurnagar Chhattisgarh, Present Address College Colony Budhar, District Shahdol Madhya Pradesh (Driver & Owner)
2. The Branch Manager, The New India Insurance Company Limited Ambikapur, District Surguja Chhattisgarh (Insurer)

---Respondents

For Appellant	:	Mr. Rishi Rahul Soni, Advocate
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Hon'ble Shri Justice P. Sam Koshy

Order on Board

09/11/2017

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 88 days in filing the appeal stands condoned.
2. Present is an appeal under Section 173 of the Motor Vehicles Act assailing the award dated 29.04.2017, passed by the 4th Additional Motor Accident Claims Tribunal, Ambikapur, District Surguja, Chhattisgarh, in Motor Accident Claims Case No. 150/2016.
3. Vide the impugned award, in an injury case, the Tribunal has awarded a compensation of Rs.82,323/- with interest @ 6% per annum.
4. Counsel for the appellant submits that taking into account the nature of the injuries sustained by the appellant, which were grievous in

nature, the amount of compensation awarded is too meagre, and therefore the amount of compensation deserves to be enhanced substantially.

5. However, perusal of record would show that the Claimant has not been able to produce any medical evidence to substantiate his contention neither was there any certificate to show any permanent disability which the claimant had suffered.
6. In the absence of either of the two, this Court is of the opinion that the findings of the Tribunal cannot be found fault with.
7. Thus, in the opinion of this Court there is no scope any enhancement of the compensation awarded and the appeal of the appellant therefore deserves to be and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved