

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 1518 of 2017

Laxmi Narayan Rajput S/o Panchram Rajput Aged About 32 Years
Occupation Supervisor, R/o Village Maghgaon Thana And Tahsil
Lormi District Mungeli Chhattisgarh. (Claimant)

---- Appellant

Versus

1. Vijay Shankar S/o Ramsingh Sonwani Aged About 24 Years R/o.
Village Karhi Thana And Tahsil Mungeli District Mungeli
Chhattisgarh. (Driver)
2. Smt. Sagar Bai W/o Anujram Mahilang Aged About 57 Years R/o.
Village Karhi Thana And Tahsil Mungeli District Mungeli
Chhattisgarh. (Owner).
3. Maigma H. D. I. General Insurance Company Limited. 7th Floor,
Maigma House 24 Park Strit Kolcutta (P. B.) (Insurer)

---Respondents

For Appellant	:	Mr. A.L. Singroul, Advocate
For Insurance Company	:	Mr. Rohitashva Singh, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/11/2017

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 34 days in filing the
appeal stands condoned.
2. Present is an appeal by the Claimant in the injury case assailing the
award dated 23.06.2017, passed by the Additional Motor Accident
Claims Tribunal, Mungeli, Chhattisgarh, in Motor Accident Claim
Case No. 37/2017. Vide the impugned award the Tribunal has
awarded a compensation of Rs.1,52,590/-.
3. Counsel for the Claimant had filed the present appeal seeking for
further enhancement of the compensation in the light of the grievous
injuries that he has sustained. However, perusal of the record would

show that the Doctor has not been examined to prove the disability part.

4. However, counsel for the appellant submits that the accident is not in dispute., the injury sustained also is not in dispute and therefore, the Tribunal ought to have awarded some more compensation for the disability, the injuries and under other heads.
5. Counsel for the Insurance Company however opposes the appeal on the ground that the amount awarded is just and reasonable as it is based on the evidence which have come on record.
6. Considering the facts and circumstances of the case, particularly taking into consideration the nature of the injuries sustained and the fact that the Claimant has undergone much pain and suffering, this Court is of the opinion that ends of justice would meet if the Claimant is awarded an additional amount of Rs. 25,000/- in addition to what has already been awarded. Thus, making the total compensation payable at Rs.1,77,590/- instead of Rs.1,52,590/-.
7. The said enhanced amount shall also carry interest at the same rate as has been awarded by the Tribunal.
8. The appeal thus stands allowed and disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved