

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 1646 of 2017

Sagun Lal Verma S/o Shri Gayaram Verma, Aged About 55 Years
R/o A-162 Housing Board Colony, Thana Saraswati Nagar, Tahsil
And District Raipur, Chhattisgarh....(Claimant).

---- Appellant

Versus

1. Arjun Sinha S/o Dhan Singh Sinha, R/o Village Raita Thana Dharsiwa Tahsil And District Raipur, Chhattisgarh....(Driver).
2. Rahul Singhaniya S/o Kailash Singhaniya, R/o Devendra Nagar Sector - 04 House No. D-136, Thana Devendra Nagar Tahsil And District Raipur, Chhattisgarh....(Owner).
3. Universal Sempo General Insurance Company Limited Through Branch Manager, Branch Office Shankar Nagar In Front Of T. V. Tower Raipur Tahsil And District Raipur, Chhattisgarh....(Insurer).

---Respondents

For Appellant : Mr. A.L. Singroul, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/12/2017

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 121 days in filing the appeal stands condoned.
2. Present is an appeal under Section 173 of the Motor Vehicles Act, assailing the award dated 27.02.2017, passed by the 1st Additional Motor Accident Claims Tribunal, Raipur, Chhattisgarh, in Claim Case No.64/2015. Vide the said impugned award the Tribunal in an injury case has awarded a compensation of Rs.43,661/- with interest @ 7% per annum.
3. Counsel for the appellant submits that considering the nature of injury and the disability suffered by the Claimant, he is entitled for more compensation than what has been awarded by the Tribunal.

However, perusal of record shows that the Doctor has not been examined and the disability certificate is also not brought on record to establish the loss of earning capacity.

4. In the absence of any material evidence to establish the disability and to further establish the loss of income of the appellant, this Court does not find any strong case worth admitting the appeal.
5. The appeal accordingly stands dismissed.

Sd/-
(P. Sam Koshy)
Judge

Ved