

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Appeal (C) No. 1470 of 2008**

IFFCO TOKIO General Insurance Company Limited, through the Branch Manager, Iffco Tokio General Insurance Co. Ltd., 3rd Floor 345-347, Lalganga Shopping Mal, G.E. Road Raipur (CG)

---- Appellant**Versus**

1. Ramsahay Sahu, aged about 28 years, S/o Chedilal Sahu, R/o Jabrapara near Shiv Temple, Police Station -Sarkanda, Tehsil & District Bilaspur (CG)
2. Chandra Prakash alias Appu S/o Bhujbal Yadav, aged about 30 years, R/o Nutan Square, Sarkanda PS Sarkanda, Bilaspur (CG) (Driver of Auto having registration No. CG 10 BB/0585)
3. Pankaj Tripathi S/o A.P. Tripathi R/o near Sai Temple, Chantidih, PS Sarkanda, Bilaspur (CG) (Owner of Auto having registration No. CG 10 BB/0585)

---- Respondents

For Appellant	:	Shri Amrito Das along with Shri P. Acharya, Advocates
For Respondent No.3	:	Shri C. P. Lahrey, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****01/11/2017**

Present is an appeal by the Insurance Company under Section 173 of the Motor Vehicles Act assailing the award dated 04.01.2008 decided by the 3rd Additional Motor Accident Claims Tribunal, Bilaspur (CG) in Claim Case No. 182/2007. Vide the impugned award, the Tribunal in an injury case under Section 166 of the MV Act has awarded a compensation of Rs.52,800/- with interest @ 7% per annum from the date of application.

2. While passing the award the Tribunal has applied the principle of pay and recovery in favour of the Insurance Company.
3. Considering the date of award, the nature of injury and the grounds raised by the Insurance company, this Court is of the opinion that no strong case has been made out by the Insurance Company calling for interference with the impugned award.
4. The appeal thus fails and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
JUDGE