

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MAC No. 51 of 2006**

Narendra Pal, S/o. Chandrabhushan Pal, Aged about 45 years, R/o. Mana Camp, Tahsil and District Raipur Chhattisgarh

---- Appellant**Versus**

1. Babool Das @ Babul Das, S/o. Niwaran Das, Aged about 36 years, R/o. P.V. 90, P.S. Pakhanjur, Post Nagaldand, District Kanker, Chhattisgarh
2. The New India Insurance Co. Ltd. By Divisional Manager, Divisional Office, Kachahari Chowk Jail Road, Raipur, Chhattisgarh

----Respondents

For Appellant	:	Mr. A.L. Singroul, Advocate
For Insurance Company	:	Mr. Sudhir Agrawal, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25/09/2017**

1. The present is a claimant's appeal for enhancement of the compensation awarded in Claim Case No.14/2005 decided on 29.04.2006 by the 11th Additional Motor Accident Claims Tribunal, Raipur. Vide the said impugned award, the Tribunal in an injury case has awarded a compensation of Rs.40,000/- with interest @6% per annum.
2. Counsel for the appellant submits that the appellant had received injuries on his left chest, wherein his ribs had got fractured and also received some injuries on his face as well as on the head. He further submits that considering the nature of the injuries, the amount of compensation awarded is too meager an amount and therefore, it deserves enhancement.
3. The counsel for the Insurance Company however opposing the appeal submits that it is a case where the Doctor has not been examined and the disability part has not been established and the amount of compensation based on the evidence seems to be just and reasonable and does not warrant interference.

4. Having considered the entire facts and circumstances of the case and considering the nature of the injuries as also the amount of compensation awarded by the Tribunal, this Court is of the opinion that ends of justice would meet if the appellant is ordered to be paid additional compensation of Rs.10,000/- in addition to what has already been awarded by the Tribunal.
5. It is ordered accordingly. The claimant shall be entitled for a total compensation of Rs.50,000/- instead of Rs.40,000/- as awarded by the Tribunal. The said enhanced amount shall also carry interest at the same rate as awarded by the Tribunal.
6. The appeal thus is allowed and disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved