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**HIGH COURT OF CHHATTISGARH, BILASPUR****MAC No. 1 of 2017**

Basant Yadav S/o Shri Murali Yadav, Aged About 25 Years Caste-  
Mahakul, R/o Village- Mahaphad, Thana- Bagbahar, Tahsil-  
Patthalgaon, Civil & Revenue District- Jashpur, Chhattisgarh.

**---- Appellant****Versus**

1. Smt. Baniya Bhagat W/o Late Shri Santosh Bhagat, Aged About 34 Years
2. Minor Sahil Bhagat S/o Santosh Bhagat, Aged About 13 Years
3. Minor Ku. Puja Bhagat D/o Santosh Bhagat, Aged About 12 Years
4. Minor Samir Bhagat S/o Santosh Bhagat, Aged About 10 Years

Respondents No. 2 to 4 are minor Through Natural Guardian Mother Smt. Baniya Bhagat,

All are R/o Village- Kendutola Hathgarha, Post- Hathgarha, Thana & Tahsil-  
Kansabel, Civil & Revenue District- Jashpur, Chhattisgarh.

**---- Respondents**


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| For Appellant | : | Shri Sunil Sahu and Shri Sumit<br>Shrivastava, Advocates. |
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**SB: Hon'ble Shri Justice P. Sam Koshy****Order On Board****04/07/2017**

1. The present petition has been filed against the award dated 03.10.2016 passed by the Motor Accident Claims Tribunal, Jashpur (in short, the Tribunal) in Claim Case No.119 of 2015. Vide the said award, the Tribunal considering the facts and circumstances of the case has awarded an amount of Rs. 6,42,200/- to the claimants as compensation on account of death of Santosh Bhagat, Labourer, aged about 35 years, along with interest @ 9 percent per annum from the date of application.
2. The ground of challenge in the present appeal as per the appellant is

quantum.

3. What reflects from the perusal of award is the admitted fact that the deceased on the fateful day i.e. on 29.08.2015 was dashed by the motorcycle which was being driven by the present appellant as a result of which he died. Likewise, a perusal of record it also reflects that the Tribunal has taken the wages of the deceased as Rs.3600/- per month for the purpose of calculating the compensation. Considering the fact that the calculation has been done by the Tribunal based upon the judicial pronouncements given by the Supreme Court and also this High Court in the recent past, the findings arrived at by the Tribunal do not appear to be contrary to the evidence or perverse calling for interference.
4. Thus, this court does not find any perversity or illegality to have been committed by the Tribunal while passing the award impugned. Accordingly, the appeal fails. The same deserves to be and is hereby dismissed.

Sd/  
(P.Sam Koshy)  
**Judge**