

HIGH COURT OF CHHATTISGARH, BILASPUR**MAC No.1531 of 2015**

Jai Prakash S/o Sanat Kumar Sahu, A/A 10 years, through
Sanat Kumar Sahu (Father Guardian) R/o Aamasiwni
(Bhatapara), Thana Vidhansabha, District Raipur (CG)

---- Appellants

Versus

1. Kanhaiyalal @ Gautam Verma, S/o Dashru Verma, R/o Charoda, PO & Thana Dharsiwan, District Raipur (CG)
2. M/s Om Associates through officer in charge M/s Om Associates F.F. 33, Millenium Plaza, Near Coffee House, Raipur, G.E. Road, Raipur District Raipur (CG)
3. The Oriental Insurance Co. Ltd., through Regional Manager (Division No.1), the Oriental Insurance Co. Ltd., Jail Road, Raipur, District Raipur (CG)

---- Respondents

For Appellant	:	Mr.Arvind Shrivastava, Advocate
For Respondent No.3	:	Mr.H.P.Agrawal, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**

17/7/2017

1. This is an appeal filed by the appellant/claimant under Section 173 of the Motor Vehicles Act, 1988 (hereinafter called as 'the Act, 1988') seeks to challenge the award dated 31.7.2015 passed by the 7th Additional Motor Accident Claims Tribunal, Raipur (hereinafer called as 'Tribunal') in Claim Case No.457/2014, by which claimant's application has partly been allowed and has granted compensation of ₹ 82,432/- along with interest @ 6% per annum from the date of filing of claim petition till realisation.
2. Learned counsel appearing for the appellant would submit that the claimant has suffered fracture in right leg and remained in hospital for 65 days, therefore, the

compensation awarded to him is on lower side and it may be enhanced suitably.

3. On the other hand, learned counsel for respondent No.3 would submit that the compensation awarded to the appellant is just and proper and no interference is called for.
4. After hearing learned counsel appearing for the parties and after taking into consideration the evidence available on record, I deem it appropriate to enhance the amount up to ₹ 50,000/- in addition to what has been awarded by the Tribunal. Enhanced amount of ₹ 50,000/- shall carry interest @ 6% per annum from the date of filing of claim petition till realisation. Award is modified to the above extent. Rest of the conditions mentioned in the award shall remain intact.
5. The appeal is allowed in part to the extent indicated hereinabove.

Sd/-

(Sanjay K. Agrawal)
Judge

B/-