

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MAC No. 269 of 2018**

Krishna Kumar S/o Rohidas Sahu Aged About 44 Years R/o Village-
Gangori Police Station Sarsiwa, Tahsil Bilaigarh, District- Baloda
Bazar- Bhatapara, Chhattisgarh (Claimant)

---- Appellant**Versus**

1. Sammelal, S/o Shri Suritram Yadav Aged About 29 Years R/o Village Lankahuda, Police Station Sarsiwa, Tahsil Bilaigarh, District- Baloda Bazar- Bhatapara, Chhattisgarh. (Driver)
2. Dooj Ram Yadav S/o S/o Firat Ram Yadav Aged About 34 Years R/o Village Lankahuda, Police Station Sarsiwa, Tahsil Bilaigarh, District- Baloda Bazar- Bhatapara, Chhattisgarh. (Owner)
3. The Oriental Insurance Company Limited, Branch Office, Kachahari Chowk, Madina Building Raipur District- Raipur, Chhattisgarh.

---- Respondents

For Appellant	:	Mr. A.D. Kuldeep, Advocate
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Hon'ble Shri Justice P. Sam Koshy**Order on Board****12/02/2018**

1. The present is an appeal by the Claimant under Section 173 of the Motor Vehicles Act. Challenge is to the award dated 19.01.2018, passed by the Motor Accident Claims Tribunal, Baloda Bazar, Chhattisgarh, in Claim Case No.56/201.
2. Vide the impugned award, the Tribunal has rejected the claim application of the Claimant.
3. The contention of the counsel for the appellant is that the Tribunal has wrongly rejected the claim application as the appellant has genuinely suffered grievous injuries on his wrist of his hand. He submits that the Tribunal ought to have granted sufficient compensation to the Claimant. However perusal of the record would show that Claimant in the instant case has not led any evidence of

the Doctor who has treated the Claimant, neither was there any medical certificate produced to show the disability, nor was the disability part established before the Tribunal. Moreover, the bills which were raised to show the expenses towards medical treatment were also found to be suspicious and doubtful as there were discrepancies in the bills which were put for clearance before the Insurance Company and the bills which were produced before the Tribunal. So also there was no prescription of Doctor to show the line of treatment advised and the medicine prescribed.

4. In view of the aforesaid factual matrix of the case, this Court does not find any strong case made out by the appellant calling for an interference with the impugned award and the appeal thus being devoid of merit deserves to be and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge