

NAFR

HIGH COURT of CHHATTISGARH, BILASPUR**MAC No. 318 of 2018**

Surajmaniya W/o Tejbai Ram Sahu Aged About 50 Years Caste Teli,
R/o Village Manja, P.S. And Tahsil Ramanujnagar, District Surajpur,
Chhattisgarh.

---- Appellant**Versus**

1. S.B.I. General Insurance Company Limited Bilaspur, Local Branch Surajpur, District Surajpur, Chhattisgarh (Insurer), District : Surajpur, Chhattisgarh
2. Ayush Agrawal S/o P.D.Agrawal Caste Agrawal, R/o Village Nagwani Road Kotma, District Anuppur (M.P.) (Owner), District : Anuppur, Madhya Pradesh
3. Ramakant S/o Ghursai R/o Haldibadi, Chirmiri, Tahsil Khadgawan, District Korea, Chhattisgarh (Owner), District : Koriya (Baikunthpur), Chhattisgarh
4. Suresh Kumar Yadav S/o Magal Ram Yadav Aged About 23 Years R/o Village Manja, P.S. And Tahsil Ramanujnagar, District Surajpur, Chhattisgarh.

---- Respondents

For Appellant : Shri Rajat Agrawal, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Judgment On Board****21.02.2018**

1. The present appeal under Section 173 of the Motor Vehicles Act has been filed by the claimant seeking enhancement of compensation against the award dated 30.11.2017 passed by the 1st Additional Motor Accident Claims Tribunal, Surajpur (in short, the Tribunal) in Claim Case No.16/2016. Vide the impugned award, the Tribunal in an injury case has awarded compensation of Rs.8,000/-along with interest @ 9 percent per annum from the date of application.
2. The contention of the appellant is that the compensation awarded by the Tribunal is unreasonably low. The claimant in the instant case

has suffered injury on the backbone which was serious in nature and this aspect has not been properly appreciated by the Tribunal. Therefore, the amount awarded deserves to be suitably enhanced.

3. However, perusal of records would show that except for the medical certificate issued by a doctor, no medical expert was examined before the Tribunal. Neither was there any sufficient evidence to establish the treatment or expenses incurred towards treatment. Moreover, the medical certificate which was produced also shows that the injuries sustained were simple in nature.
4. Under the given facts and circumstances, this court does not find a strong case made out by the appellant calling for an interference with the impugned award.
5. Thus, the appeal fails and is dismissed .

Sd/-

(P.Sam Koshy)
Judge