

NAFR

**HIGH COURT of CHHATTISGARH, BILASPUR****MAC No. 1734 of 2017**

Ramdas S/o Late Shri Gyandas, Aged About 45 Years Caste Panika,  
R/o Village Dhurena, Tahsil Katghora, Civil & Revenue District Korba,  
Chhattisgarh.

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

1. Lokendra Kumar Sahu S/o Shri Narayan Prasad Sahu @ Sonu, Aged About 22 Years Caste Teli, R/o Quarter No. M.Q. 1322, Pragati Nagar, Deepaka, Police Statin Deepaka, Civil & Revenue District Korba, Chhattisgarh.
2. Narayan Prasad Sahu S/o Shri Khorbahara Sahu, Caste Teli, R/o Quarter No. M.Q.1322, Pragati Nagar, Deepaka, Police Station Deepaka, Civil & Revenue District Korba, Chhattisgarh.
3. The I.C.I.C.I. Lombard General Insurance Company Limited, Through The Branch Manager, Branch Office Devendra Nagar Raipur, Tahsil Raipur, Civil & Revenue District Raipur, Chhattisgarh.

**---- Respondents**

|                     |   |                                  |
|---------------------|---|----------------------------------|
| For Appellant       | : | Shri P.M. Shrivastava, Advocate. |
| For respondent No.3 | : | Shri Amrito Das, Advocate.       |

**Hon'ble Shri Justice P. Sam Koshy****Judgment On Board****05.01.2018**

1. The present appeal under Section 173 of the Motor Vehicles Act has been filed by the claimant assailing the award dated 27.10.2017 passed by the Additional Motor Accident Claims Tribunal, Katghora, Distt. Korba (in short, the Tribunal) in Claim Case No. 12/2017. Vide the said impugned award, the Tribunal has awarded a compensation of Rs.25,097/- along with interest @ 9 percent per annum from the date of application.
2. Learned counsel for the appellant submits that the award passed by the Tribunal is unreasonably low and deserves to be enhanced suitably

when compared to the nature of injuries which the claimant has sustained and prays for award to be suitably enhanced.

3. The counsel for the insurance company however opposing the appeal submits that considering the nature of injuries the Tribunal has awarded just and proper compensation and there is no scope of interference in the impugned award.
4. Considering the total facts and circumstances of the case particularly the fact that the claimant in the instant case had received two fractures on his left shoulder and also in his left leg, this court is of the opinion that ends of justice would meet if the claimant is awarded an additional amount Rs.25,000/- in addition to what has already been awarded making the total compensation at Rs.50,097/- instead of Rs.25,097/- as awarded by the Tribunal. It is ordered accordingly.
5. The enhanced amount of compensation shall also carry same interest as has been awarded by the Tribunal.
6. The appeal stands allowed and disposed of.

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