

HIGH COURT of CHHATTISGARH, BILASPUR**MAC No. 492 of 2012**

Ramkhilawan Shukla S/o Late Tirath Prakash Shukla, R/o Village-Philips Godaun, Ring Road No. 2, Raipura, P.S. Amanaka Raipur Tah And District-Raipur C.G.

---- Appellant

Versus

1. Adhunik Transport Organization Ltd. Through-Managing Director, Ring Road No.2, Philips Godown, Raipur (CG).
2. I.C.I.C. Lombard General Insurance Company Limited Through-Branch Manager, Branch Office, Lalganga Shopping Moll G.E. Road, Raipur C.G.

---- Respondents

For Appellant	:	Shri Pawan Kesharwani, Advocate.
For Respondent No.2	:	Shri Sourabh Sharma, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Judgment On Board

28.02.2018.

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 06.02.2009 passed by the 14th Additional Motor Accident Claims Tribunal (FTC) Raipur (in short, the Tribunal) in Claim Case No.19/2008. Vide the said impugned award, the Tribunal on an application under Section 163-A of the Motor Vehicles Act has awarded a compensation of Rs.2,82,000/- along with interest @ 6 percent per annum from the date of application.
2. While passing the impugned award, the Tribunal has exonerated the insurance company of its liability and has fastened the same upon the respondent No.1-owner of the vehicle involved in the accident.

3. Since the claim application decided by the Tribunal was one under Section 163-A of the Motor Vehicles Act in which the award has to be calculated in accordance with Schedule-II of the Motor Vehicles Act and the calculation having been made as per the schedule of the Motor Vehicles Act, this court is of the opinion that no strong case is made out by the appellant seeking for enhancement of compensation.
4. Accordingly, the appeal fails and stands dismissed.

Sd/-

(P.Sam Koshy)
Judge

inder