BHOLA NATH KHATAI
Digitally signed by BHOLA NATH KHATAI
Date: 2026.10.29 14:07:45 +0530

CGHC010022302024 2026:CGHC:45589

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 163 of 2024

1 - Smt. Hirdai Sethiya W/o Late Shri Uday Sethiya Aged About 43 Years (Next Friend For Appellant No. 6) R/o Bhatipara Lalbahadur Shastri Ward, Bastar, Nagar Panchayat Bastar, District Bastar (C.G.)

2 - Ku. Rajeshwari Sethiya D/o Late Shri Uday Sethiya Aged About 23 Years R/o Bhatipara Lalbahadur Shastri Ward, Bastar, Nagar Panchayat Bastar, District Bastar (C.G.)

3 - Basant Sethiya S/o Late Shri Uday Sethiya Aged About 22 Years R/o Bhatipara Lalbahadur Shastri Ward, Bastar, Nagar Panchayat Bastar, District Bastar (C.G.)

4 - Ku. Pooja Sethiya D/o Late Shri Uday Sethiya Aged About 21 Years R/o Bhatipara Lalbahadur Shastri Ward, Bastar, Nagar Panchayat Bastar, District Bastar (C.G.)

5 - Ku. Payal Sethiya D/o Late Shri Uday Sethiya Aged About 19 Years R/o Bhatipara Lalbahadur Shastri Ward, Bastar, Nagar Panchayat Bastar, District Bastar (C.G.)

6 - Dipesh Sethiya S/o Late Shri Uday Sethiya Aged About 13 Years R/o Bhatipara Lalbahadur Shastri Ward, Bastar, Nagar Panchayat Bastar, District Bastar (C.G.)

7 - Bhagatram Sethiya S/o Late Shri Tularam Sethiya Aged About 65 Years R/o Bhatipara Lalbahadur Shastri Ward, Bastar, Nagar Panchayat Bastar, District Bastar (C.G.)

8 - Smt. Jhitri Sethiya W/o Shri Bhagatram Sethiya Aged About 63 Years R/o Bhatipara Lalbahadur Shastri Ward, Bastar, Nagar Panchayat Bastar, District Bastar (C.G.)

... Appellant(s)

versus

1 - Visheshwar Yadav S/o Lakhmuram Yadav Aged About 47 Years R/o Bhalupara, Keraguda Village Bastar Nagar Panchayat Bastar, District Bastar C.G. (Driver As Well As Owner Of The Vehicle)

2 - The National Insurance Company Limited Through Branch Manager, Branch Office Samund Chowk, Jagdalpur, District Bastar, C.G. (Insurance Company)

... Respondent(s)

For Appellants	**:**	Mr. Shikhar Shukla, Advocate
For Respondents	**:**	None

Hon'ble Shri Justice Sanjay Kumar Jaiswal
Order on Board

(28.10.2026)

1. This appeal under Section 173 of the Motor Vehicles Act, 1988 has been preferred by the appellants/claimants seeking enhancement of the compensation awarded by the 3rd Additional Motor Accident Claims Tribunal, Bastar place Jagdalpur (C.G.) on 26.10.2023 in Claim Case No.22/2021, whereby the Claims Tribunal has awarded a total sum of ₹20,22,000/- as compensation on account of the death of Uday Sethiya, who succumbed to the injuries sustained in a motor vehicle accident that occurred on 08.10.2019.

2. Learned Tribunal, upon appreciation of the oral and documentary evidence available on record, assessed the monthly income of the deceased at Rs.9,000/-, added 25% towards future prospects, deducted 1/5th towards personal and living expenses, applied the multiplier of 14 and awarded compensation under various heads as

under:

S.N.	Heads	Calculation
1.	Income	9,000 x 12 = 1,08,000
2.	Future prospects (25%)	1,35,000
3.	Deduction for personal expenses (1/5th)	1,08,000
4.	Loss of dependency (applying multiplier of 14)	15,12,000
5.	Loss of estate	16,500
6.	Funeral Expenses	16,500
7.	Loss of consortium	3,52,000
8.	Medical expenses	95,000
9.	Transportation & Attendant	30,000
	Total Awarded Amount	**Rs.20,22,000**

3. Learned counsel appearing for the appellants submits that the compensation awarded by the Claims Tribunal is on the lower side and, therefore, warrants suitable enhancement.

4. There is no representation on behalf of the respondents.

5. I have heard learned counsel for the appellants and perused the record with due care and circumspection.

6. The accident occurred on 08.10.2019, and the deceased, Uday Sethiya, succumbed to his injuries during treatment at the hospital on 10.11.2019. At the time of accident, the deceased was aged about 45 years. There are eight claimants in the present case.

7. Thus, considering the date of accident, the age of the deceased, the number of claimants and the evidence available on record, the assessment made by the Claims Tribunal towards income, future prospects, personal expenses, multiplier and conventional heads does not call for any interference. The compensation awarded by the

Tribunal is in accordance with the principles laid down by the Hon'ble Supreme Court in **National Insurance Company Ltd. V. Pranay Sethi[1], Sarla Verma & Ors. Vs. Delhi Transport Corporation & Ors[2] and Magma General Insurance Co. Ltd. v. Nanu Ram @ Chuhru Ram & Ors[3].** Hence, this Court is of the considered opinion that the compensation awarded by the Claims Tribunal is just, fair and reasonable and does not warrant any interference.

8. Accordingly, the appeal being devoid of merit is hereby **dismissed.**

9. No order as to costs.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Khatai

1 (2017) 16 SCC 680
2 (2009) 6 SCC 121
3 (2018) 18 SCC 130