BHOLA NATH KHATAI
Digitally signed by BHOLA NATH KHATAI
Date: 2026.11.17 16:26:31 +05:30

CGHC010133682024 2026:CGHC:47271

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 850 of 2024

1 - Smt. Lalkaren Minj W/o Late Masih Minj Aged About 54 Years R/o Village - Kusumtal, Sarhapani P.S. And Tahsil - Kansabel District Jashpur (C.G.)

2 - Ku. Alphamani Minj D/o Late Masih Minj Aged About 25 Years R/o Village - Kusumtal, Sarhapani P.S. And Tahsil - Kansabel District Jashpur (C.G.)

3 - Ku. Deepmala Minj D/o Late Masih Minj Aged About 23 Years R/o Village - Kusumtal, Sarhapani P.S. And Tahsil - Kansabel District Jashpur (C.G.)

4 - Rahul Minj S/o Late Masih Minj Aged About 21 Years R/o Village - Kusumtal, Sarhapani P.S. And Tahsil - Kansabel District Jashpur (C.G.)

5 - Robinsan Minj S/o Late Masih Minj Aged About 19 Years R/o Village - Kusumtal, Sarhapani P.S. And Tahsil - Kansabel District Jashpur (C.G.)

... Appellant(s)

versus

1 - Pushpendra Tiwari S/o Shriram Tiwari Aged About 26 Years Occupation - Driver, R/o Village - Gomra, P.S, And Tahsil - Gomra, District Chhatarpur (M.P.),.....(Driver)

2 - Vijay Kumar Shukla S/o Vindhayavashani Prasad Shukla R/o A-59, Ashok Vihar Colony, Ring Road No. 2, Gondwapara - Raipur, District Raipur (C.G.),....(Owner)

3 - The Branch Manager (Micro Office) The New India Insurance Company Limited Shop No. 48(B) First Floor Block No. 13 Transport Nagar Rawabhatha Birgaon Raipur, District Raipur (C.G.), Branch Office - The New India Insurance Company Limited, Judev Complex Near L.I.C. Office - Jashpurnagar District Jashpur (C.G.),...(Insurer)

... Respondent(s)

For Appellants	**:**	Mr. Poshan Kumar, Advocate
For Respondents	**:**	None

Hon'ble Shri Justice Sanjay Kumar Jaiswal
Order on Board

(17.11.2026)

1. Heard on admission.

2. 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 Additional Motor Accident Claims Tribunal, Jashpur, District Jashpur (C.G.), vide award dated 07.12.2023 passed in Motor Accident Claim Case No.09/2017, whereby the Tribunal has awarded a total sum of ₹23,99,763/- as compensation on account of the death of Masih Minj, who succumbed to the injuries sustained in a motor vehicle accident that occurred on 19.02.2016.

3. Learned counsel appearing for the appellants submits that the compensation awarded under the conventional heads is on the lower side and warrants enhancement in accordance with the settled principles of law. It is, therefore, prayed that the compensation under the said heads may suitably be

enhanced.

4. Heard learned counsel for the appellants and perused the record of the case.

5. Upon perusal of the impugned award, it is evident that the Tribunal has awarded ₹15,000/- towards loss of estate, ₹15,000/- towards funeral expenses and ₹2,00,000/- towards loss of consortium to the five claimants, at the rate of ₹40,000/- each.

6. The accident in the present case occurred on 19.02.2016. There are five claimants in the present case, and the Tribunal has awarded ₹40,000/- each towards loss of consortium, aggregating to ₹2,00,000/-. It has further awarded ₹15,000/- each towards loss of estate and funeral expenses. Having regard to the date of the accident and the number of claimants, this Court is of the considered opinion that the compensation awarded by the Tribunal under the conventional heads is just and proper and does not warrant any interference.

7. Accordingly, finding no merit in the appeal, the same is hereby **dismissed** at the admission stage itself.

8. No order as to costs.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Khatai