CGHC010209222026 2026:CGHC:45875

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 1289 of 2026

Amit Lahre S/o Maniram Lahre Aged About 19 Years Resident of Village-Saliha Police Station - Saliha District- Balodabazar-Bhatapara (C.G.)

... Appellant

versus

1 - Sujeet Kumar Rana S/o Mathur Badhai (Rana) Aged About 24 Years Resident of House No.978, Ward No.14 Pump House Jhopdi Para, Korba District- Korba (C.G.) (Driver of Vehicle CG/12-A U 2493).

2 - Dilip Rana S/o Mathur Rana Aged About 42 Years Resident Of House No.978, Ward No.14 Pump House Jhopdi Para Korba District- Korba (C.G.) (Owner of Vehicle CG/12 AU 2493).

3 - The New India Insurance Company Ltd Branch Office Ambedkar Chowk, Raipur Road Balodabazar, District- Balodabazar, Bhatapara (C.G.) (Insurer Of Vehicle CG 12/ AU -493)

... Respondents

For the appellant	**:**	Mr. Palash Agrawal, Advocate
For respondent no.3	**:**	Mr. Raj Awasthi, Advocate

Hon'ble Shri Justice Sanjay Kumar Jaiswal)

Order on Board

29.10.2026

1. This appeal under Section 173 of Motor Vehicles Act, 1988 (for short "MV Act") has been filed by the claimant (injured) seeking enhancement of compensation, challenging the impugned award dated 07.03.2026 passed by the learned Second Additional Motor Accident Claims Tribunal Sarangarh, District Sarangarh-Bilaigarh Chhattisgarh in Claim Case No.51/2023 whereby a total compensation of Rs. 32,81,873/- has been awarded for the damages caused to the appellant.

2. Brief facts of the case as pleaded in the claim application are that on 27.08.2022 at about 12.00 noon, the applicant Amit Lahre along with his friend Devkumar Bariha was returning home from Saliha Dam on Motorcycle. On the way, when they reached near a liquor shop situated on the main Road at Saliha, respondent no.1 driving the offending Truck bearing Regn No. G-12-AU/2493 in rash and negligent manner dashed against their motorcycle, due to which, both sustained grievous injuries and Devkumar Bariha died on the spot while the applicant suffered permanent disability to the extent of 80%. He filed a claim petition seeking a total compensation of Rs. 38,50,000/- on different heads.

3. The Tribunal after evaluating the facts and evidence placed on record, has granted a total compensation of Rs.32,81,873/- on various heads as per the following table:

01.	Treatment expenses	Rs. 6,60,000/-
02.	Attendant/Assistant charges	30,000/-
03.	Nutritious food	30,000/-
04.	Transport charges	25,000/-
05.	Loss of earning	38,000/-
06.	Loss of future earning	22,98,240/-
07.	Physical pain and mental agony	50,000/-
08.	Loss of amenities in life	50,000/-
09.	Loss of marriage prospects	1,00,000/-
	Total Rs.	32,81,873/-

4. Learned counsel for the appellant confines his argument only to the extent that the doctor found 80% permanent disability and no amount has been granted towards future medical expenses. He submits that due to the accident the appellant sustained a critical head injury with a severed brain nerve, resulting in paraplegia, and he is unable to move and walk and still he is required to continue his treatment. Therefore, the award may suitably be enhanced by granting compensation for “future medical expenses”.

5. Learned counsel for respondent no.3/Insurer submits that the award passed by the Tribunal is more adequate which needs no further interference.

6. I have heard learned counsel for the parties, considered their rival submissions and perused the record with utmost circumspection.

7. Dr. Wasim Raja has been examined as A.W.2. This witness has stated that on examination of appellant who appeared before the Medical Board, he found that appellant sustained a head injury with paraplegia, his permanent disability was 80% and they issued a permanent disability certificate (Ex.P-430) which bears his signature as a member of District Medical Board at portion A to A and B to B. The doctor also found that the patient had undergone surgery and had brought the complete record, based on which, he had conducted the examination and gave the report. In his cross-examination, the Doctor has further stated that at the time of his examination, the appellant was unable to move and walk. As the head injury related to nerves, a detailed description of the injury was not given.

8. Appellant (A.W.1) has stated in his evidence that in the said accident he had suffered serious injuries on his shoulder and head, brain nerve was severed, due to which, he was unable to use his right hand and had difficulty in speaking and also suffered leg injury. He was treated at Mahadev Hospital and Neurosurgeon C.G. Shah Hospital, Bilaspur and he was in coma for 4 months and after the accident he is undergoing treatment in Jammu under the supervision of Neurosurgeon Dr. Sushil Rajdan and he has been facing difficulty in performing his daily routine works due to the disability. He has produced documents vide Ex.P-24 to Ex.P-431 regarding treatment and permanent disability.

9. Based on medical documents submitted by the appellant, the Tribunal has also recorded the fact at para 25 of the award that soon after the accident, the appellant was taken for treatment at CHC Bilaigarh on

27.8.2022 from where he was referred and shifted to Mahadev Super Speciality Hospital Bilaspur where he was admitted from 27.08.2022 to 06.09.2022 and thereafter he was shifted to Shah Neuro Hsopital Bilaspur where he was admitted from 06.09.2022 to 21.10.2022 and the appellant also got treatment at Government Medical College Jammu and Arogya Dham Ayurvedic Clinic.

10. In view of the evidence of Doctor (A.W.2) who proved the permanent disability certificate vide Ex.P-430 issued by the Medical Board and the nature of injury as also considering the voluminous medical documents submitted by the appellant regarding his treatment and the physical difficulties being faced by him, it cannot be said that no future treatment is required. Since no amount has been granted by the Tribunal under this specific head, it would be appropriate to grant Rs.50,000/- under this specific head in addition to Rs.32,81,873/- granted by the Tribunal on different heads.

11. Accordingly, the appellant is held entitled for an additional sum of Rs.50,000/- for future treatment expenses due to his 80% permanent neuro-disability and severe physical limitations. The additional amount of compensation shall carry interest @ 6% per annum from the date of filing claim application before the Tribunal till its realization. Rest of the conditions of the impugned award shall remain intact.

12. Accordingly, this appeal is **allowed in part** and the impugned award is modified to the extent as indicated hereinabove.

Sd/-

Sanjay Kumar Jaiswal
Judge

Rao

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