CGHC010340262025 2026:CGHC:46437

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 1765 of 2025

1 - Santosh Das Manikpuri S/o Maruti Das, Aged About 57 Years R/o Village Podibhantha, Ward No. 01, P.S. Akaltara, District Janjgir Champa (C.G.)

2 - Tanuj Das Manikpuri, S/o Santosh Das Manikpuri, Aged About 15 Years Minor Through Legal Natural Guardian Father Santosh Das Manikpuri, R/o Village Podibhantha, Ward No. 01, P.S. Akaltara, District Janjgir Champa (C.G.)

... Appellants

versus

1 - Ganesh Sengar S/o Mahadev Sengar, Aged About 55 Years R/o Nagar Nigam Sirgitti, Ward No. 10, District Bilaspur Chhattisgarh At Present Resident Of Sukulpara, Kharaud, P.S. Shivrinarayan District Janjgir Champa Chhattisgarh.....(Driver Of Offending Vehicle Excent Car Bearing Registration No. C.G.-11/A.C./7111)

2 - Naresh Sengar, S/o Mahadev Sengar, R/o Sakti, P.S. Sakti District Janjgir Champa Chhattisgarh (Now District Sakti)..... (Owner Of Offending Vehicle Excent Car Bearing Registration No. C.G.-11/A.C./7111)

3 - Branch Manager, Reliance General Insurance Company Pvt. Ltd. Branch Office Bus Stand Road, Vyapar Vihar Road 4.1, Tushar Goyal And Insurance Company Bilaspur H-04.8, L.I.C. Office India, Mangla- 4.3, National Insurance Company Bilaspur, P.S. Civil Line Tahsil And District Bilaspur (C.G.).....(Insurer

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Of Offending Vehicle Excent Car Bearing Registration No. C.G.-11/A.C./7111)

... Respondents

For Appellant	:	Mr. Pawan Kumar Kashyap, Adv.
For Respondent No. 1	:	Ms. Pooja Yadav, Adv.
For Respondents No. 2 & 3	:	Notice remained unserved.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order On Board

03/11/2026

1. Heard on I.A. No.01/2025, application for condonation of delay in filing the appeal.

2. It is a claimant's appeal seeking enhancement of the compensation awarded by the Tribunal.

3. Upon due consideration, I.A. No. 01/2025 is allowed and the delay of 247 days in filing the appeal stands condoned.

4. Also heard on admission.

5. This appeal under Section 173 of the Motor Vehicles Act, 1988 (for short, "the Act of 1988") has been preferred by the injured appellant assailing the award dated 31.08.2024 passed by the 10th Additional Motor Accident Claims Tribunal, District Bilaspur (CG) in Motor Accident Claim Case No. 311/2021, whereby a total compensation of ₹12,951/- has been awarded for the injuries sustained by appellant No. 2 – Tanuj Das Manikpuri in a road accident that occurred on 18.07.2020.

6. Learned Tribunal, after appreciating the oral and documentary evidence brought on record, assessed the

compensation as under:

S.N.	Head	Calculation
1	Towards medical expenses	9,951/-
2	Towards physical and mental agony	3,000/-
	Total Awarded Amount	**Rs.12,951/-**

7. Learned counsel for the appellant submits that the Tribunal has erred in awarding a lesser amount of compensation. It is also submitted that the injured, Tanuj Das (15 years old), who is a minor boy, sustained injuries to his head, brain, chest, hand, waist, leg and other parts of the body, but the Tribunal has not awarded compensation towards loss of income, transport expenses, special diet, attendant and future treatment expenses. Accordingly, it is prayed that the impugned award be modified by suitably enhancing the compensation.

8. Learned counsel appearing for respondent No. 1 supported the impugned award.

9. Heard learned counsel for the parties and perused the record.

10. As to the loss of income, Santosh Das (AW-1), the father of the injured, admitted that his son was not working; therefore, it cannot be assumed that the injured was working. So far as the compensation awarded on other heads is concerned, the Tribunal, upon appreciation of the

evidence on record, has found that the injured sustained only simple injuries. As evidenced by Ex. P-6 and Ex. P-7, the injured has not been admitted to any hospital, nor has he sustained any grievous injuries. The injured produced medical bills totalling Rs. 9,951/- (Ex. P-6 and Ex. P-7), which were duly considered by the Claims Tribunal.

11. In view of the aforesaid facts and upon a careful examination of the evidence on record, and further considering the overall simple injuries and the medical expenses, this Court finds the impugned award just and proper and not warranting any further enhancement.

12. Consequently, the appeal, being devoid of merit, is **dismissed** at motion stage.

Sd/-
(Sanjay Kumar Jaiswal)
JUDGE

H.L. Sahu