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PRASHANT DEWANGAN

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 2245 of 2026

1 - Smt. Lileshwari, Wd/o Late Rikhab Lal, Aged About 47 Years, R/o Ward No. 11, Patsivni, P.S. Chhura, District Gariyaband (C.G.) Presently Resided At Mowa, Raipur District Raipur, Chhattisgarh.

2 – Preeti, D/o Late Rikhab Lal, Aged About 31 Years, R/o Ward No. 11, Patsivni P.S. Chhura, District Gariyaband (C.G.) Presently Resided At Mowa Raipur, District Raipur Chhattisgarh.

3 – Chanchal, D/o Late Rikhab Lal, Aged About 30 Years, R/o Ward No. 11, Patsivni P.S. Chhura, District Gariyaband (C.G.) Presently Resided At Mowa Raipur, District Raipur, Chhattisgarh.

4 - Kunal Sahu, S/o Late Rikhab Lal, Aged About 22 Years, R/o Ward No. 11, Patsivni P.S. Chhura, District Gariyaband (C.G.) Presently Resided At Mowa Raipur, District Raipur Chhattisgarh.

... Appellants

versus

1 - Radheshyam Sahu, S/o Shri Latel Ram, Aged About 51 Years Occupation Driver R/o Village Bhurka, Bhothidih, P.S. Abhanpur, District Raipur (C.G.) ------Driver Of The Tractor No. CG04MS9010 And Trolley No. CG.04MY2168.

2 - Manharan Lal Sahu, S/o Shri Jug Ram Sahu, R/o House No. 105, Village Bhothidih Bhurka, P.S. Abhanpur, District Raipur Chhattisgrh------Owner Of The Tractor No. CG04MS9010 And Trolley No. CG.04MY2168.

3 - Chola Mandalam M.S. General Insurance Company Limited Through- The Authorized Office Chola Madalam M/s General Insurance Company Limited, Second Floor, Simran Tower, L.I.C. District Raipur Chhattisgarh --------Insurer

Of The Tractor No. CG04MS9010 And Trolley No. CG.04MY2168.

... Respondent(s)

For Appellants	:	Ms. Dhaneshwari Patel, Advocate
For Respondents	:	None

Hon'ble Shri Justice Sanjay Kumar Jaiswal, J.
Order on Board
(06/10/2026)

1. Heard on I.A. No.01/2026, an application for condonation of delay under Section 5 of Limitation Act.

2. The present appeal has been preferred by the appellants/claimants seeking enhancement of the compensation awarded by the learned Claims Tribunal.

3. For the reasons assigned therein, I am inclined to allow the same and delay of 50 days in preferring of this appeal is, hereby, condoned.

4. I.A. No.01/2026, thus, stands disposed of.

5. Heard on admission.

6. This is the claimants' appeal for enhancement against the award dated 27/04/2026 passed by the learned Chief Motor Accident Claims Tribunal, Raipur, District – Raipur (C.G.) in Motor Accident claim case No. 402/2024 whereby a compensation amount of Rs. 54,88,916/- has been awarded in favour of the claimants.

7. Learned counsel for the appellants submits that the income of the deceased- Rikhab Lal Sahu assessed by the learned Claims Tribunal is on the lower side which needs to be enhanced suitably.

8. I have heard learned counsel appearing for the appellants and perused the record of the Tribunal including award impugned.

9. Upon scrutinizing the evidence available on record and taking into consideration the average annual income reflected in the Income Tax Returns (ITRs) of the deceased, Rikhab Lal Sahu, for the preceding three years, this Court finds that the learned Tribunal has rightly assessed the annual income of the deceased at Rs. 4,92,867/-. No infirmity or illegality is found in the impugned award warranting interference by this Court.

10. Accordingly, the appeal of the appellants is hereby **dismissed** at the admission stage.

Sd/-
Sanjay Kumar Jaiswal
Judge

Prashant