BHOLA NATH KHATAI
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CGHC010397962025 2026:CGHC:45873

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 2043 of 2025

1 - Ravi Singh S/o Late Rupdev Singh Aged About 23 Years Occupation - Student, R/o Village - Baigapara, Jamdei, P.S. And Tahsil - Jainagar, Distt - Surajpur, Present Address - Patelpara, Ambikapur, P.S. Gandhinagar, Tahsil - Ambikapur, Distt - Surguja Chhattisgarh (Claimant)

2 - Preeti Singh D/o Late Rupdev Singh Aged About 20 Years Occupation - Student, R/o Village - Baigapara, Jamdei, P.S. And Tahsil - Jainagar, Distt - Surajpur, Present Address - Patelpara, Ambikapur, P.S. Gandhinagar, Tahsil - Ambikapur, Distt - Surguja Chhattisgarh (Claimant)

3 - Rita Singh D/o Late Rupdev Singh Aged About 18 Years Occupation - Student, R/o Village - Baigapara, Jamdei, P.S. And Tahsil - Jainagar, Distt - Surajpur, Present Address - Patelpara, Ambikapur, P.S. Gandhinagar, Tahsil - Ambikapur, Distt - Surguja Chhattisgarh (Claimant)

... Appellant(s)

versus

1 - Pappu Goswami S/o Ganauri Prasad Goswami Aged About 32 Years R/o Village Mayapur, P.S. - Rehala, District - Palamu (Jharkhand) (Driver Of Vehicle No. CG-04/EA/0368)

2 - Royal Travels Proprietor Syed Anwar Ali Address - Shop Number-3, New Bus Stand Pandri Raipur, Distt - Raipur Chhattisgarh (Owner Of Vehicle No. CG-04/EA/0368)

3 - Branch Manager IFFCO Tokyo General Insurance Company Limited, Branch Office - Shop No. 205, 2 Four M.M. Silver Plaza Building, Ring Road No.1, Opposite Udyog Bhawan, Mahavir Nagar Raipur, Distt - Raipur, Local Business Office M.G. Road, Ambikapur, P.S. Gandhinagar, Distt - Surguja Chhattisgarh (Insurer Of Vehilce No. CG-04/EA/0368)

... Respondent(s)

For Appellant(s)	:	Mr. Poshan Kumar, Advocate
For Respondent No.3	:	Mr. Swapnil Thawaney, Advocate

Hon'ble Shri Justice Sanjay Kumar Jaiswal
Judgment on Board

(29.10.2026)

1. This appeal under Section 173 of the Motor Vehicles Act, 1988 has been preferred by the appellants/claimants seeking enhancement of the amount of compensation, challenging the impugned award dated 04.04.2025 passed by the Motor Accident Claims Tribunal, Ambikapur (Sarguja), in Motor Accident Claim Case No.187/2023, whereby the Claims Tribunal has awarded a total sum of ₹13,69,944/- as compensation for the death of Rupdev Singh, who died in a motor vehicle accident that took place on 07.07.2023.

2. Learned counsel appearing for the appellants/claimants submits that the Claims Tribunal has committed an error in assessing the monthly income of the deceased at ₹9,100/-, which, according to him, is even lower than the minimum wages payable to an unskilled labourer at the relevant time. He further submits that the amount awarded towards loss of consortium is on the lower side and deserves to be enhanced in accordance with the principles laid down by the Hon’ble

Supreme Court. It is, therefore, prayed that the instant appeal be allowed and the compensation awarded by the Claims Tribunal be suitably enhanced.

3. Per contra, learned counsel appearing for respondent No.3 Insurance Company submits that, in the facts and circumstances of the case, the compensation awarded by the Claims Tribunal is just and proper and does not call for any enhancement.

4. Heard learned counsel for the parties and perused the record with due circumspection.

5. The accident occurred on 07.07.2023 and, at the relevant time, the minimum wages prescribed even for an unskilled labourer were ₹9,960/- per month. Accordingly, the monthly income of the deceased is reassessed at ₹9,960/-.

6. The deceased was aged about 45 years and a non-salaried person at the time of accident. There are total three claimants in the present case.

7. Considering the date of accident, the age of the deceased and the number of claimants, this Court finds that the addition towards future prospects, deduction towards personal expenses, the multiplier applied and the amounts awarded by the Claims Tribunal towards funeral expenses and loss of estate are just, proper and in accordance with law. However, the amounts awarded towards loss of consortium require suitable enhancement in accordance with the principles laid down by the Hon'ble Supreme Court.

8. Thus, in light of the aforesaid discussion and the judgments of 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], the compensation is recomputed as under:-

Sl. No.	**Heads**	**Compensation awarded by the Tribunal**	**Compensation awarded by this Court**
1.	Income	9,100 × 12 = 1,09,200	9,960 × 12 = 1,19,520
2.	Future prospects	(+) 25%	(+) 25% (i.e. 29,880) = 1,49,400
3.	Deduction towards personal expenses	(-) 1/3	(-) 1/3 (i.e. 49,800) = 99,600
4.	Multiplier	(×) 14 = 12,73,944	(×) 14 = 13,94,400
5.	Funeral Expenses	18,000	18,000
6.	Loss of Estate	18,000	18,000
7.	Loss of Consortium	60,000 (20,000 x 3)	1,44,000 (48,000 x 3)
	Total	**₹13,69,944/-**	**₹15,74,400/-**

9. In view of the aforesaid analysis, the amount of compensation of ₹13,69,944/- awarded by the Claims Tribunal is enhanced to ₹15,74,400/-. Thus, after deducting the amount already awarded by the Claims Tribunal, the appellants/claimants are held entitled to an additional amount of **₹2,04,456/-**. The additional amount of compensation shall carry interest at the rate of 6% per annum from the date of filing of the claim petition before the Tribunal till its realization. The remaining terms and conditions of the impugned award shall remain unaltered.

10. In the result, the appeal is **partly allowed** and the impugned award is modified to the extent indicated hereinabove.

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

11. The Registry is directed to communicate to the claimants, in writing, the enhanced/additional amount awarded in the present appeal over and above the amount awarded by the concerned Claims Tribunal. Such communication shall be made in Hindi (Devanagari) language, and the assistance of Para-Legal Volunteers may be availed in coordination with the Secretary, District Legal Services Authority of the concerned area where the claimants reside.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Khatai