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PRASHANT DEWANGAN

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 2390 of 2026

1 - Smt. Laxmi Singh Wd/o Late Subedar Aged About 24 Years R/o. R.D.A. Colony, Hirapur, Post Tatibandh, P.S. Kabir Nagar, Raipur, District Raipur (C.G.)

2 - Shivam Singh S/o Late Subedar Singh Aged About 2 Years, Minor, Through The Natural Guardian- Mother Appellant No. 01, Smt. Laxmi Singh R/o. R.D.A. Colony, Hirapur, Post Tatibandh, P.S. Kabir Nagar, Raipur, District Raipur (C.G.)

3 - Smt. Urmila Devi, Wd/o. Late Kedli Singh, Aged About 56 Years, R/o. R.D.A. Colony, Hirapur, Post Tatibandh, P.S. Kabir Nagar, Raipur, District Raipur (C.G.)

... Appellants

versus

1 - Jeetendra Patel S/o Shri Santlal Patel Aged About 26 Years R/o. Village Tileri Kala, P.S. Kamragi, District Sidhi (Mp) (Driver Of The Truck No. MH32/AJ/2673)

2 - Anandi Santosh Kunjeer S/o Shri Santosh Kunjeer R/o Kanihunur Society, Mulla Road, Kakedev Badi, Pune Maharashtra (Owner Of The Truck No. MH32/AJ/2673)

3 - Tata A.I.G. General Insurance Company Limited Through The Branch Manager, Branch Office- Rajbandha Maidan, Dainik Bhaskar Complex, Raipur, District Raipur (C.G.) (Insurer Of The Truck No. MH32/AJ/2673)

... Respondent(s)

For Appellants	:	Mr. Utkarsh Patel, Advocate
For Respondents	:	None

Hon'ble Shri Justice Sanjay Kumar Jaiswal, J.
Order on Board
(26/10/2026)

1. Heard on admission.

2. This is the claimants' appeal for enhancement against the award dated 29/08/2026 passed by the learned 9th Additional Motor Accident Claims Tribunal, Raipur, District- Raipur (C.G.) in Motor Accident claim case No. 969/2023 whereby a compensation amount of Rs. 18,60,000/- has been awarded in favour of the claimants.

3. Learned counsel for the appellants submits that the deceased, Subedar Singh (aged about 33 years) was engaged as heavy vehicle driver and earning Rs.16,000/- per month. However, the Tribunal has wrongly assessed the monthly income of the deceased at Rs.10,000/-. He, therefore, submits that the compensation awarded by the Tribunal deserves to be suitably enhanced. The amount awarded by the learned Claims Tribunal is on lower side which needs to be enhanced suitably.

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

5. Learned counsel for the appellants has placed on record the salary certificate (Ex.P/12). However, neither the person who issued the said salary certificate has been examined to prove its authenticity nor has the driving licence of the deceased, Subedar Singh, been produced on record. In the absence of such supporting evidence, the Tribunal has assessed the monthly income of the deceased at Rs. 10,000/- as on the date of the accident, i.e., 26.07.2023. This Court finds the said assessment to be just and reasonable in the facts and circumstances

of the case. Accordingly, this Court finds no infirmity or illegality in the assessment of the monthly income of the deceased made by the Tribunal warranting interference by this Court.

6. On a careful consideration of the material on record, this Court finds that the Tribunal has properly appreciated the evidence and the compensation awarded is just and reasonable. There is no infirmity in the impugned award warranting interference.

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

Sd/-
Sanjay Kumar Jaiswal
Judge

Prashant