



CGHC010265902026



2026:CGHC:30340

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MAC No. 1634 of 2026**

1 - Ghasiyano Kisan W/o Ratan Singh Kisan Aged About 56 Years
R/o Village Bijana Tangarghat, P.S. And Tahsil Tamnar, Distt.
Raigarh Chhattisgarh (Claimant)

2 - Ratan Singh Alias Nidhiban Kisan S/o Late Govind Kisan Aged
About 66 Years R/o Village Bijana Tangarghat, P.S. And Tahsil
Tamnar, Distt. Raigarh Chhattisgarh (Claimant)

3 - Jogendra Kisan S/o Ratan Singh Alias Nidhiban Kisan Aged About
25 Years R/o Village Bijana Tangarghat, P.S. And Tahsil Tamnar,
Distt. Raigarh Chhattisgarh (Claimant)

... Appellants**versus**

1 - Durpati Chouhan W/o Late Basant Chouhan Aged About 38 Years
R/o Village Bijana Tangarghat, P.S. And Tahsil Tamnar, Distt.
Raigarh Chhattisgarh (Driver)

2 - Rajesh Kumar Chouhan S/o Shri Sukhram Chouhan Aged About
28 Years R/o Village Bijana Tangarghat, P.S. And Tahsil Tamnar,
Distt. Raigarh Chhattisgarh (Owner Of Offending Motor Cycle Pulsar
C.G. 13 B.C. 0819)

3 - The United India Insurance Company Limited Through Branch
Manager, L I C Building Floor No. 1, Magarpara Road, Bilaspur Distt.
Bilaspur, Present Branch Office Address Gaushala Para Road, Above
Manav Bhavan, Raigarh, Tahsil And Distt. Raigarh Chhattisgarh
(Insurer Of Motor Cycle Pulsar C.G. 13 B.C. 0819) (Insurance
Company)

... Respondents

For Appellants : Mr. Manoj Ku. Sinha, Advocate.
For Respondents : Not noticed.

Hon'ble Shri Justice Sanjay Kumar Jaiswal, J.
Order on Board
(17.07.2026)

1. Heard on admission.
2. This is the claimants' appeal for enhancement against the award dated 06.05.2026 passed by the Additional Motor Accident Claims Tribunal, Gharghoda, District - Raigarh (C.G.) in Motor Accident claim case No.39/2025 whereby a compensation amount of Rs. 16,31,400/- has been awarded in favour of the claimants.
3. Learned counsel for the appellant submits that the Tribunal committed an error in taking the income of the deceased as Rs. 10,500/- per month based on minimum wages of an unskilled labourer for the year 2025. According to the appellant, the deceased Chudamani was engaged in agricultural work and labour and was earning Rs. 15,000/- per month. Hence, the income should have been assessed at Rs. 15,000/- per month. On this ground, it is prayed that the compensation awarded by the Tribunal be suitably enhanced.
4. I have heard learned counsel appearing for the appellant and perused the record of the Tribunal including award impugned.
5. After scrutinizing the evidence, the Tribunal held that the accident was caused due to rash and negligent driving of motorcycle No. CG-13-BC-0819 by its driver Akash Chouhan (deceased). Legal heir of Akash Chouhan is Respondent No.1- Durpati Chouhan and the owner of the vehicle is Respondent No.2, Rajesh Kumar Chouhan. The deceased, Chudamani, who was pillion rider at the motorcycle, sustained grievous injuries in the said accident and died. The claimants claimed monthly income of the deceased as Rs. 15,000/- from labour work, but failed to produce any documentary evidence. Hence, the Tribunal assessed the income of the deceased at Rs. 10,500/- per month

as per the minimum wages for an unskilled labourer notified by the State Government under the Minimum Wages Act prevailing on the date of accident i.e. 10.03.2025. Accordingly, the Tribunal has awarded compensation to the claimants as under:

Sl. No.	Heads	Compensation
01	Annual income of the deceased	Rs. 1,26,000/-
02	Total income after 1/2nd deduction towards personal expenses	Rs. 63,000/-
03	After applying multiplier of 17	Rs. 10,71,000/-
04	After adding 40% towards future prospect	Rs. 14,99,400/-
05	Towards funeral expenses	Rs. 18,000/-
06	Towards loss of estate	Rs. 18,000/-
07	Towards love and affection to Claimants No. 1 & 2 total	Rs. 96,000/-
	Total	Rs. 16,31,400/-

6. On a careful consideration of the material on record, it is apparent that no documentary evidence is available to hold that the deceased was a skilled or semi-skilled labourer. As such, 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 appellant is hereby **dismissed** at the admission stage.

Sd/-
Sanjay Kumar Jaiswal
Judge