



CGHC010369702026



2026:CGHC:41146

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 2126 of 2026

1 - Hemin Vatti W/o Late Mahaveer Vatti, Aged About 40 Years, R/o Village- Mudpar (Dakhani) Post- Sarona Police Station Kanker District Kanker (C.G.).

2 - Mohit Kumar Vatti S/o Late Mahaveer Vatti, Aged About 13 Years, Minor Through Natural Guardian And Mother Hemin Vatti R/o Mudpar (Dakhani) Post- Sarona Police - Station - Kanker District- Kanker (C.G.).

3 - Sahil Kumar Vatti S/o Late Mahaveer Vatti, Aged About 11 Years, Minor Through Natural Guardian And Mother Hemin Vatti R/o Mudpar (Dakhani) Post- Sarona Police - Station - Kanker District- Kanker (C.G.).

... Appellant

versus

1 - Likeshwar Vishwakarma S/o Shri Rohit Ram Vishwakarma, Aged About 25 Years, R/o Village- Salhe Outpost - Kachche Police Station - Bhanupratappur District Kanker (C.G.) (Driver Of Truck No C.G. 19 B H 0719).

2 - Smt Ramila Rasiya W/o Bhuwan Rasiya R/o Ward No.8, Semarpara Antagarh Police Station Antagarh District Kanker (C.G.) (Owner Of Truck No.C G 19 Bh 0719).

3 - Magma H D I General Insurance Company Ltd Through- Officer In Charge M A G M A H D I General Insurance Company Ltd 5th Floor Office No. 501,509, 512 D .B. City Corporate Park Plot No.01, Block- No.09 Rajbandha Maidan Raipur Tehsil And District Raipur (C.G.) (Insurer Of Truck No C G 19 Bh 0719).

... Respondent(s)

For Appellants	:	Mr. Satyendra Srivas, Advocate.
For Respondents	:	Not noticed.

Hon'ble Shri Justice Sanjay Kumar Jaiswal, J.
Order on Board
(22.09.2026)

1. Heard on admission.
2. The present appeal has been preferred by the claimants seeking enhancement of the compensation awarded vide judgment/award dated 09.07.2026 passed by the learned 03rd Additional Motor Accident Claims Tribunal, Raipur (C.G.), in Motor Accident Claim Case No. 38/2024, whereby a total compensation of Rs. 93,80,035/- has been awarded in favour of the claimants.
3. Learned counsel for the appellant submits that the compensation awarded by the learned Claims Tribunal is on the lower side and the same deserves to be suitably enhanced.
4. I have heard learned counsel appearing for the appellant and perused the record of the Tribunal including award impugned.
5. In the present case, the learned Tribunal assessed the monthly income of the deceased at Rs. 70,364/- on the basis of the salary slip produced on record, awarded an addition of 30% towards future prospects, and deducted a sum of Rs. 24,089/- towards income tax payable for the financial year 2024-25, which is found to be just and proper. Having regard to the number of dependants, the learned Tribunal deducted one-third (1/3rd) of the income towards the personal and living expenses of the deceased. Considering that the deceased was 46 years of age at the time of the accident, the learned Tribunal applied the multiplier of 13. The aforesaid assessment, deductions and multiplier applied by the learned Tribunal are found to be just and proper and in accordance with the settled principles of law. Further, under the conventional heads, the learned Tribunal awarded a sum of Rs. 1,80,000/-, which is also found to be just and proper. Accordingly, the learned Tribunal awarded compensation to the claimants under the following heads:

Sl. No.	Heads	Compensation
---------	-------	--------------

01	Monthly income of the deceased after adding 30% towards future prospects	=Rs. 70,364/- + 30% = Rs. 91,473.20/-, rounded off to Rs. 91,473/-
02	Deduction of 1/3rd towards personal expenses i.e. Rs. 30,491/-(Rs. 91,473-30,491= 60,982), therefore, annual income of deceased Rs.60,982x12	=Rs.7,31,784/-
03	After deduction of income tax	=Rs. 7,07,695 (7,31,784- 24,089/-
04	After applying multiplier of 13	92,00,035/- (7,07,695x13)
05	Towards funeral expenses	Rs.18,000/-
06	Towards loss of estate	Rs. 18,000/-
07	Towards loss of companionship	Rs. 1,44,000/-
	Total	Rs. 93,80,035/-

6. Upon careful consideration of the material available on record, this Court finds that the learned Tribunal has properly appreciated the evidence on record and has awarded just and reasonable compensation. The impugned award does not suffer from any infirmity or illegality warranting interference by this Court.
7. Accordingly, the appeal of the appellant is hereby **dismissed** at the admission stage.

Sd/-
Sanjay Kumar Jaiswal
Judge

\$ourabh