



CGHC010127122019



2026:CGHC:31687

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 760 of 2019

1 - Branch Manager Iffco Tokio General Insurance Company Ltd.
Galaxy Heights, 1st Floor, Vyapar Vihar Road, Tahsil And District
Bilaspur Chhattisgarh.(Cycle No. Cg 12 G 8898), District : Bilaspur,
Chhattisgarh

--- **Appellant**

versus

1 - Ramratan Uraon S/o Budhawar Singh Aged About 27 Years R/o
Yadav Mohalla, Thana Civil Line, District Bilaspur Chhattisgarh.(Cycle
No. C.G. 12 G 8898), District : Bilaspur, Chhattisgarh

2 - Bedilal Gond Radhe Singh Aged About 39 Years R/o Silli, Thana,
Pali, Tahsil Pali, District Korba Chhattisgarh.(Driver Of Tractor Cg 12 U
1890), District : Korba, Chhattisgarh

3 - Santosh Kumar S/o Dhannulal R/o Silli Thana, Pali, Tahsil Pali,
District Korba Chhattisgarh.(Owner Of Tractor Cg 12 U 1890), District :
Korba, Chhattisgarh

4 - Branch Manager Hdfc Agro General Ekko Insurer Company Limited
Devendra Nagar, Chawla Complex, Thana Devendra Nagar, Tashil
Sendri, Thana Koni, Tashil And District Raipur Chhattisgarh.(Insurer Of
Tractor Cg 12u 1890), District : Raipur, Chhattisgarh

5 - Radheshyam Anant S/o Bhauram Anant R/o Village Sendri, Thana Koni, Tahsil And District Bilaspur Chhattisgarh.(Owner Of Moter Cycle Cg 12 G 8898), District : Bilaspur, Chhattisgarh

--- Respondent(s)

For Petitioner(s) : Ms. Shrejal Gupta on behalf of Mr. Vaibhav Shukla, Advocates

For Respondent: Mr. Ashish Pandey on behalf of Mr. N.K. Thakur, Advocates

SB – Honb’le Shri Justice Sanjay K. Agrawal

Judgment on Board

24/07/2026

1. This appeal under Section 173 of the Motor Vehicles Act, 1988 has been preferred by the appellant/Insurance Company – Iffco Tokio General Insurance Company (in short “Iffco Tokio”) against the impugned award dated 22/09/2018 passed by learned 8th Additional Motor Accident Claims Tribunal, Bilaspur in Claim Case No. 329/2015 whereby compensation of Rs. 2,99,661/- has been awarded in favour of the claimant – Ramratan Uraon for the injuries suffered by him and the liability of payment of compensation has been fastened upon the appellant/Insurance Company – Iffco Tokio, insurer of the Trolley as well as respondent No. 4/Insurance Company – HDFC Agro, insurer of the Tractor, to the extent of 50% each.

2. Learned counsel for the appellant/Insurance Company – Iffco Tokio would submit that the accident in question occurred with the Tractor and not the Trolley, therefore, they are not liable for payment of compensation to the claimant.
3. Learned counsel for respondent No. 4/Insurance Company – HDFC Agro would submit that the Tractor and Trolley were attached together and they were in a moving condition at the time of the accident, therefore, they have to be considered as a single vehicle and as such, the Claims Tribunal has rightly fastened the liability of payment of compensation upon both the Insurance Companies to the extent of 50% each.
4. I have heard learned counsel for the parties, considered their submissions made herein-above and went through the record with utmost circumspection.
5. So far as the question of liability of payment of compensation is concerned, it is not in dispute that the accident in question occurred with the Tractor while the Trolley was attached to it and both the Tractor as well as Trolley were in a moving condition. The Trolley cannot be moved without the Tractor and as such, in such a situation, the Tractor and Trolley should be seen as a single vehicle. Thus, learned Claims Tribunal has rightly fastened the liability of payment of compensation upon both the Insurance companies to the extent of 50% each. I do not find any merit in the instant appeal.

6. Accordingly, this appeal stands dismissed leaving the parties to bear their own cost(s).

Sd/-
(Sanjay K. Agrawal)
JUDGE

Harneet