



CGHC010269872019

2026:CGHC:34485

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MAC No. 1522 of 2019**

Shriram General Insurance Company Limited Through Branch Manager,
E-8, Epip-Riico Industrial Area, Sitapura, Jaipur, Rajasthan.....
(Non Applicant No.3), District : Jaipur, Rajasthan

... Appellant**Versus**

1 - Smt. Khushboo Soni W/o Late Shri Vinod Kumar Soni Aged About 25 Years R/o Plot No. 108, Babadeep Singh Nagar, Near Durga Mandir, Sunder Nagar, Bhilai, Tehsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

2 - Smt. Khushboo Soni W/o Late Shri Vionod Kumar Soni Aged About 25 Years Minors Are Represented By Their Natural Guardian Mother Smt. Khushboo Soni, W/o Late Shri Vinod Kumar Soni, Aged About 25 Years, R/o Plot No. 108, Babadeep Singh Nagar, Near Durga Mandir, Sunder Nagar, Bhilai, Tehsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

3 - Ku. Soni D/o Late Shri Vinod Kumar Soni Aged About 4 Years Minors Are Represented By Their Natural Guardian Mother Smt. Khushboo Soni, W/o Late Shri Vinod Kumar Soni, Aged About 25 Years, R/o Plot No. 108, Babadeep Singh Nagar, Near Durga Mandir, Sunder Nagar, Bhilai, Tehsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

4 - Smt. Malti Soni W/o Dharamdas R/o Babadeep Singh Nagar, Near Durga Mandir, Sunder Nagar, Bhilai, Tehsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

5 - Dharamdas Soni S/o Late Amulchand Soni R/o Babadeep Singh Nagar, Near Durga Mandir, Sunder Nagar, Bhilai, Tehsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

6 - Gurucharan Singh S/o Late Chuhar Singh R/o Santrabadi, Durg, Tehsil And District- Durg, Chhattisgarh.....(Claimants), District : Durg, Chhattisgarh

7 - Gulzar Singh S/o Dhura Singh Aged About 40 Years Qt. No. 62/f, Road No. 16, Sector 2, Bhilai, Tehsil And District- Durg, Chhattisgarh.....(Driver), District : Durg, Chhattisgarh

8 - Sujeet Gupta (Died Through Lrs) As Per Honble Court Order Dated 12-05-2026

8.1 - (A) Sunita Devi Gupta Wd/o Late Shri Sujeet Gupta Aged About 50 Years R/o Ward No. 21 Pragati Nagar, Supela, Bhilai, District Durg (C.G.)

8.2 - (B) Sushmita Gupta D/o Late Shri Sujeet Gupta Aged About 27 Years R/o Ward No. 21 Pragati Nagar, Supela, Bhilai, District Durg (C.G.)

... Respondents

[Cause-title taken from Case Information System (CIS)]

For Appellant	:	Mr. Utsav Mahiswar, Advocate
For Respondents	:	Ms. Upasana Yadav, Mr. ML Sahu, and Mr. Shyam Kumar, Advs respectively

Single Bench: Hon'ble Shri Justice Sanjay K. Agrawal

(Order on Board)

05.08.2026

1. This appeal under Section 173 of the Motor Vehicles Act, 1988 (for short "Act of 1988") has been preferred by the appellant (Insurance Company) challenging the impugned award dated 06.02.2019, whereby learned Claims Tribunal awarded a sum of Rs.6,21,500/- to the claimants and liability to pay compensation has been fastened upon the Insurance Company.

2. Learned counsel for the appellant would submit that the Claims Tribunal has erred in applying the unamended provision of 2nd Schedule to Section 163-A of the Act of 1988 and awarding a sum of Rs.6,21,500 /- to the claimants, which is on the higher side. Thus, the present appeal be allowed.

3. On the other hand, learned counsel for the respondents supported

the impugned award and prays for dismissal of this appeal.

4. I have heard learned counsel for the appellant, considered his submission and perused the record.

5. In the case at hand, the accident occurred on 04.12.2013 and amendment in 2nd Schedule to Section 163-A of the Act of 1988 came into force w.e.f. 22.05.2018, therefore, the learned tribunal by relying upon unamended provision of 2nd Schedule to Section 163-A of the Act of 1988 granted a sum of Rs.6,21,500/- to the claimants as compensation, which, in the considered opinion of this Court, is correct calculation of the amount of compensation and same is neither perverse nor illegal. I do not find any merit in this appeal. It deserve to be and is hereby **dismissed**.

sd/-
(Sanjay K. Agrawal)
Judge