



2026:CGHC:10215



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 927 of 2022

1. Sanjeev Kumar @ Balam Banjara S/o Rajesh Banjara Aged About 26 Years Caste- Satnami, R/o Village Piparkhunti, Police Station Pandatarai, District Kabirdham, Chhattisgarh.
2. Rajesh Banjara S/o Khelan Banjara Aged About 54 Years Caste-Satnami, R/o Village Piparkhunti, Police Station Pandatarai, District Kabirdham, Chhattisgarh.

... Appellant(s)

versus

1. Jaan Bai Wd/o Late Mastram Tandon Aged About 55 Years Caste-Satnami, R/o Village Kumhi, Police Station Pandatarai, District Kabirdham, Chhattisgarh.
2. Phoolchand S/o Late Mastram Aged About 43 Years Caste-Satnami, R/o Village Kumhi, Police Station Pandatarai, District Kabirdham, Chhattisgarh.
3. Rameshwar S/o Late Mastram Aged About 32 Years Caste-Satnami, R/o Village Kumhi, Police Station Pandatarai, District Kabirdham, Chhattisgarh.
4. Maharani D/o Late Mastram Aged About 40 Years Caste-Satnami, R/o Bijrakapa Khurd, Police Station And Tahsil Lalpur, District Mungeli, Chhattisgarh.

... Respondent(s)

For Appellants	:	Ms. Sakshi Chhabda, Adv. on behalf of Mr. Malay Shrivastava, Adv.
For Respondents	:	Mr. Rajendra Patel, Adv. on behalf of Mr. Sunil Sahu, Adv.



Hon'ble Shri Justice Rakesh Mohan Pandey

Judgment On Board

27.2.2026

- 1) By way of this appeal, driver and owner of the offending vehicle have challenged the award passed by the learned Additional Motor Accident Claims Tribunal, Kabirdham in Claim Case No. 11/2021 dated 26.7.2022 whereby learned Tribunal has passed an award to the tune of Rs. 6,92,337/- on account of injuries sustained by Mastram.

- 2) Facts of the present case are that on 9.3.2018, at about 8:00 pm Ranjan Singh, Daroga Patre and Mastram were going to Village Kumhari on motorcycle. When they reached near Nawagaon Hattha, the offending vehicle – Tractor bearing registration No. CG-04-DT-3873 being driven in rash and negligent manner dashed the motorcycle. In the accident, Mastram sustained grievous injuries over various parts of body. Mastam was initially taken to Community Health Centre, Pandariya and was referred to Life Care Hospital, Bilaspur where he remained hospitalized from 10.3.2018 till 15.3.2018 ; thereafter, he was admitted to S.K.B. Multi Speciality Hospital, Bilaspur where he remained hospitalized from 20.3.2018 till 7.4.2018. Subsequently, Mastram died on 5.12.2019 at his home.

- 3) Claimants, who are widow and children of the deceased filed the claim case claiming therein compensation to the tune of Rs.



12,09,342/- and pleaded that deceased was laborer and he was earning Rs. 2,500/- per month. Offending vehicle was not insured. Driver and owner filed reply and denied the contents of claim application. Learned Tribunal framed issues treating the claim petition as injury case ; parties led evidence and thereafter, award was passed.

- 4) Learned counsel appearing for the driver and owner of offending vehicle submits that Mastram passed away on 5.12.2019, nearly 21 months after the accident on 9.3.2018, due to this extended duration, his death cannot be directly tied to the accident. She further submits that claimants have exaggerated the expenses incurred in medical treatment and learned Tribunal has awarded compensation at higher side. She prays to set aside the award impugned.
- 5) On the other hand, learned counsel appearing for the claimants submits that learned Tribunal has treated the claim petition to be an injury case and granted compensation towards medical expenses, pain and suffering, transportation and special diet. He further submits that learned Tribunal has awarded just and proper compensation and there is no scope for interference.
- 6) Heard.
- 7) It is not in dispute that offending vehicle was not insured, therefore learned Tribunal fastened liability of driver and owner. A careful



perusal of the record would show that Mastram sustained serious injuries including multiple fractures and he remained hospitalized for considerable period at various hospitals. Claimants produced medical bills and learned Tribunal honored the same whereas appellants herein failed to lead documentary evidence to prove the contrary.

8) Learned Tribunal has passed following award :-

Sr.	Heads	Compensation awarded by Tribunal
1.	Medical Bills	Rs. 5,92,837/-
2.	Loss of Earning (four months)	Rs. 12,500/- (@ Rs 2,500/- pm)
3.	Attendant Charges	Rs. 12,500/-
4.	Transportation	Rs. 5,000/-
5.	Special Diet	Rs. 20,000/-
6.	Pain and Suffering	Rs. 50,000/-
	<u>TOTAL</u>	Rs. 6,92,337/-

9) A careful perusal of award would reveal that learned Tribunal has awarded Rs. 12,500/- towards loss of earning ; Rs. 50,000/- towards pain and suffering ; Rs. 20,000/- towards special diet ; Rs. 5,000/- towards transportation and Rs. 12,500/- towards attendant charges. Learned Tribunal also honored the medical bills submitted by appellant. Thus, in total Rs. 6,92,337/- has been awarded by the Tribunal. In my opinion, learned Tribunal has awarded appropriate compensation under these heads.



2026:CGHC:10215

10) In view of the discussion made herein-above, no case is made out to interfere with the award impugned. Consequently, this appeal fails and is hereby **dismissed**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Ajinkya