



2026:CGHC:13759

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 435 of 2020

Branch Manager, H.D.F.C. Ergo General Insurance Company Ltd.,
Third Floor, Chawla Complex, Devendra Nagar Road, Sai Nagar,
Raipur, Tehsil & District Raipur, Chhattisgarh. Pin No.492001
(Insurer of Vehicle No.UP-95/T-0020)

... Appellant

versus

1. Smt. Saraswati Yadav, W/o Late Vinod Yadav, Age 20 years approx.,
Profession Housewife
2. Falu Yadav, S/o Dadul Yadav, Age 45 years approx., Profession
Shepherd (Chrwaha)
3. Smt. Nanki Bai, W/o Falu Yadav, Age 40 years approx., Profession
Housewife
4. Ku. Vidya Yadav, D/o Falu Yadav, Age 18 years approx., Profession
Study, Minor representing through guardian father Falu Yadav, S/o
Dadul Yadav
5. Ku. Lakshmi Yadav, D/o Falu Yadav, Age 15 years approx.,
Profession Study, Minor representing through guardian father Falu
Yadav, S/o Dadul Yadav
6. Kamlesh Yadav, S/o Falu Yadav, Age 23 years approx., Profession
Labor,

All are R/o Village Ghugharikala, Thana and Tehsil Kawardha,
District Kabirdham, Chhattisgarh.

(Claimants)

7. Ramlal Yadav, S/o Baburam Yadav, Age 33 years approx., Profession
Driver, R/o Village Pratappur, Post Office Bilha, Thana Rajnagar,
Tehsil Chhatarpur, District Chhatarpur (M.P.)
(Driver of Vehicle No.UP-95/T-0020)



8. Santosh Kumar Rawat, S/o Babulal Rawat, Age 38 years, Profession Vehicle Owner, R/o Ward No.6, Rawat Mohalla, Talab Gali, Mivari, Thana Gadhi, Malahara, District Chhatarpur (M.P.)
(Owner of Vehicle No.UP-95/T-0020)

... Respondents

For Appellant : Mr. Harshmander Rastogi, Advocate.
For Respondent No.7 : Mr. Haripreet Bajpai, Advocate on behalf of Mr. Dharmesh Shrivastava, Advocate.

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

Judgment on Board

23/03/2026

1. The appellant/Insurance Company has preferred this appeal against the impugned award dated 16-12-2019 passed by the Additional Motor Accident Claims Tribunal, Kabirdham in Claim Case No.40/2018, by which a compensation of ₹ 14,30,800/- has been awarded to the claimants/respondents No.1 to 6 herein.
2. Mr. Harshmander Rastogi, learned counsel appearing on behalf of the appellant herein/Insurance Company would raise solitary contention that since deceased Vinod Yadav was married, one-third (1/3rd) of the compensation ought to have been deducted towards the personal expenses in light of the decision of the Supreme Court in the matter of **Sarla Verma (Smt) and others v. Delhi Transport Corporation and another**¹ (paragraph 30).
3. None present for the claimants/respondents No.1 to 6 herein, though served.
4. Mr. Haripreet Bajpai, learned counsel appearing on behalf of the

¹ (2009) 6 SCC 121



driver of the vehicle/respondent No.7 herein, would support the impugned award and oppose the appeal.

5. I have heard learned counsel for the parties present and considered their rival submissions made herein-above and also gone through the record with utmost circumspection.
6. Since the deceased was married and the number of dependents are six, one-fourth ($\frac{1}{4}$) of the compensation has rightly been deducted by the Claims Tribunal and as such, I do not find any merit in this appeal, it deserves to be and is accordingly dismissed leaving the parties to bear their own cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Soma