



2026:CGHC:21105

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 239 of 2020

1 - Smt. Guddi Puri W/o Late Manoj Kumar Puri Aged About 38 Years R/o New Kursipar, Infront Of Shiv Mandir, Near Sabji Mandi, Sangam Chowk, Bhilai, Tahsil And District - Durg Chhattisgarh., District : Durg, Chhattisgarh

2 - Sneha Puri D/o Late Manoj Kumar Puri Aged About 16 Years Minor Through Natural Mother Appellant No. 1 R/o New Kursipar, Infront Of Shiv Mandir, Near Sabji Mandi, Sangam Chowk, Bhilai, Tahsil And District - Durg Chhattisgarh., District : Durg, Chhattisgarh

3 - Aastha Puri D/o Late Manoj Kumar Puri Aged About 15 Years Minor Through Natural Mother Appellant No. 1 R/o New Kursipar, Infront Of Shiv Mandir, Near Sabji Mandi, Sangam Chowk, Bhilai, Tahsil And District - Durg Chhattisgarh., District : Durg, Chhattisgarh

4 - Kumkum Puri D/o Late Manoj Kumar Puri Aged About 14 Years Minor Through Natural Mother Appellant No. 1 R/o New Kursipar, Infront Of Shiv Mandir, Near Sabji Mandi, Sangam Chowk, Bhilai, Tahsil And District - Durg Chhattisgarh., District : Durg, Chhattisgarh

...Appellants

versus

1 - Arjun S/o Purshottam Aged About 26 Years Add.1 Sharda Para, Camp-2, Power House, Bhilai, District- Durg Chhattisgarh. Add.2 C/o Sarvjeet Singh S/o Gurudayal Singh, Plot No. 65, Ekta Chowk, Kailash Nagar, Housing Board Bhilai, P.S. Jamul, Durg Chhattisgarh., District : Durg, Chhattisgarh

2 - Sarvjeet Singh S/o Gurudayal Singh Aged About 38 Years R/o Plot No. 65, Ekta Chowk, Kailash Nagar, Housing Board Bhilai, P.S. - Jamul, Durg Chhattisgarh., District : Durg, Chhattisgarh

3 - H.D.F.C. Agro General Insurance Co. Ltd. Through - Branch Manager, 3rd Floor, Chawla Complex, Devendra Nagar Road, Sai Nagar Raipur Chhattisgarh., District : Raipur, Chhattisgarh

... Respondent(s)

For Appellants : Mr. P.R. Patankar, Advocate
 For Respondents No. 1 : Mr.Harshmandar Rastogi, Advocate
 and 2
 For Respondent No. 3 : None though served

SB - Hon'ble Shri Justice Sanjay K. Agrawal

Judgment on Board

06.05.2026

1. This appeal under Section 173 of the Motor Vehicle Act, 1988 has been preferred by the appellants/claimants seeking

enhancement of compensation, challenging the impugned award dated 15/04/2019 (Annexure A/1) passed by learned 6th Additional Motor Accident Claims Tribunal, Durg in Claim Case No. 424/2016 whereby compensation of Rs. 21,17,500/- has been awarded in favour of the appellants/claimants for the death of Manoj Puri.

- 2.** Learned counsel for the appellants/claimants would submit that the Claims Tribunal has erred in assessing the monthly income of the deceased as Rs. 13,000/- whereas it should be Rs. 15,000/- and the Tribunal has only granted Rs. 40,000/- under loss of consortium whereas it ought to have granted Rs. 44,000/- x 4 = 1,76,000/-, therefore, the amount of compensation may suitably be enhanced.
- 3.** Learned counsel for respondents No. 1 and 2 would support the impugned award and submit that the instant appeal is liable to be dismissed.
- 4.** None appeared on behalf of respondent No. 3 though served.
- 5.** I have heard learned counsel for the parties, considered their rival submissions made herein-above and went through the record with utmost circumspection.

6. A careful perusal of the award would show that the Claims Tribunal has assessed the monthly income of the appellant as Rs. 13,000/- however, it should be Rs. 15,000/- and the Claims Tribunal and has only granted Rs. 40,000/- under loss of consortium whereas it ought to have granted Rs. 44,000/- x 4 = 1,76,000/- and the Tribunal further ought to have granted Rs. 16,500/- each for loss of estate and for funeral expenses instead of Rs. 15,000/- each.

7. Thus, in view of the aforesaid discussion, this Court is calculating the compensation as stated below :-

Heads of Compensation	Compensation awarded by the Tribunal	Compensation awarded by this Court
Income	Rs. 13,000/- x 12 = Rs. 1,56,000/-	Rs. 15,000/- x 12 = Rs. 1,80,000/-
Future Prospect	(+) 25% i.e. Rs. 39,000/- = Rs. 1,95,000/-	(+) 25 % i.e. Rs. 45,000/- = Rs. 2,25,000/-
Deduction	(-) ¼ i.e. Rs. 48,750/- = RS. 1,465,250/-	(-) ¼ i.e. 56,250/- = Rs. 1,68,750/-
Multiplier	(x) 14 = Rs. 20,47,500/-	(x) 14 = Rs. 23,62,500/-
Loss of Consortium	Rs. 40,000/-	Rs. 44,000/- x 4 = Rs. 1,76,000/-
Loss of Estate	Rs. 15,000/-	Rs. 16,500/-
Funeral Expense	Rs. 15,000/-	Rs. 16,500/-
Total	Rs. 21,17,500/-	Rs. 25,71,500/-

7. In view of the aforesaid analysis, the amount of compensation of Rs. 21,17,500/- awarded by the Claims Tribunal is enhanced to Rs. 25,71,500/-. Hence, the claimants are held entitled for an additional compensation of **Rs. 4,54,000/-**. Respondent No. 3/Insurance Company is directed to deposit the amount of compensation as enhanced by this Court within a period of 3 months from the date of receipt of copy of this order. The additional amount of compensation shall carry interest @ 9% *per annum* from the date of filing of claim application before the Tribunal i.e. 04/10/2016 till its realization. Rest of the conditions of the impugned award shall remain intact.

8. Accordingly, the impugned award is modified and the instant appeal is allowed to the extent indicated herein-above.

Sd/-
(Sanjay K. Agrawal)
Judge