



2026:CGHC:20658

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MAC No. 633 of 2019**

Deep Agrawal, S/o. Shri Mukesh Kumar Agrawal, Aged About 8 Years,
 Minor Through Legal Natural Guardian Mukesh Agrawal, S/o. Shankar
 Agrawal, Aged About 34 Years, R/o. Korba Road, Champa, Tahsil
 Champa, District Janjgir Champa (Wrongly Mentioned Korba)
 Chhattisgarh

... Appellant**versus**

1 - Vishal Agrawal, S/o. Shri Vikash Agrawal, Aged About 30 Years, R/o.
 Behind Primary Health Centre Korba, Police Station And Tahsil And
 District Kotwali Korba Chhattisgarh. (Driver & Owner)

2 - ICICI Lombard General Insurance Company Limited, Through Branch
 Manger, ICICI Lombard General Insurance Company Limited, Branch
 Office Commercial Building Floor, Dev Nagar, Raod Near H.D.F.C. Bank
 Raipur, District Raipur Chhattisgarh.

... Respondents

For Appellant : Mr. P. Acharya, Advocate

For Respondent No.2 : Mr. Saurabh Gupta, Advocate on behalf
 of Mr. Sourabh Sharma, Advocate

(Single Bench)

Hon'ble Shri Justice Sanjay K. Agrawal

Judgment on Board

04.05.2026

- 1.** This appeal under Section 173 of the Motor Vehicles Act, 1988 has been preferred by the appellant/ claimant seeking enhancement of the amount of compensation, challenging the impugned award dated 28.01.2019 passed by learned Motor Accident Claims Tribunal, Korba (for short "*the Claims Tribunal*") in Claim Case No.48/2017, by which the claim application of the claimant has been allowed and an amount of Rs.4,74,000/- has been awarded as compensation to the claimant for the injuries suffered by him in the accident occurred on 01.03.2017.
- 2.** Mr. P. Acharya, learned counsel for the appellant/ claimant, would submit that just & proper compensation has not been awarded to the claimant by the learned Claims Tribunal, therefore, the amount of compensation be enhanced suitably.
- 3.** Mr. Saurabh Gupta, learned counsel for the insurance company/ respondent No.2, would submit that the amount of compensation awarded by the learned Claims Tribunal is just & proper, which does not call for any interference.

4. I have heard learned counsel for the parties, considered their rival submissions made herein-above and gone through the records minutely.
5. After hearing learned counsel appearing for the parties and going through the record and further considering the injuries sustained by the appellant/claimant, this Court is re-computing the compensation as below:-

Heads	Compensation awarded by the Tribunal	Compensation awarded by this Court
Loss of income due to injury for 6 months	NA	Rs. 6,260 x 6 = Rs. 37,560/-
Medical Expenses	Rs. 3,60,000/-	Rs. 3,60,000/-
Hospitality	Rs. 13,350/-	Rs. 15,000/-
Special Diet	Rs. 10,000/-	Rs. 15,000/-
Transportation	Rs. 20,000/-	Rs. 20,000/-
Pain & Sufferings	Rs. 40,000/-	Rs. 50,000/-
Attendant	Rs. 30,000/-	Rs. 30,000/-
Future Medical Expenses	Nil	Rs. 1,00,000/-
Total	Rs. 4,74,000/-	Rs. 6,27,560/-

6. In view of the aforesaid analysis, the amount of compensation of **Rs. 4,74,000/-** awarded by the Claims Tribunal is enhanced to **Rs. 6,27,560/-**. Hence, after deducting the amount of **Rs. 4,74,000/-** already awarded by the Claims Tribunal, the appellant/claimant is

entitled for an additional amount of **Rs.1,53,560/-**. The concerned respondent is directed to deposit the amount of compensation as enhanced by this Court within a period of 45 days. The additional amount of compensation shall carry interest @ 7% *per annum* from the date of filing of claim application before the Tribunal till its realization. Rest of the conditions of the impugned award shall remain intact.

- 7.** Accordingly, this appeal is partly allowed and the impugned award is modified to the extent as indicated herein-above.

Sd/-
(Sanjay K. Agrawal)
Judge

Ashok