(2025) 10 CHH CK 1161

In the Chhattisgarh High Court

Case No : MAC No. 1026 of 2023

Tata A.I.G. General Insurance Company Limited — APPELLANT

Vs

Mankunwar Marabi — RESPONDENT

Date of Decision : 31-10-2025

Acts Referred:
Motor Vehicles Act, 1988 — Section 173

Citation : (2025) 10 CHH CK 1161

Hon'ble Judges : Sanjay K. Agrawal, J

Bench : Single Bench

Advocate : Sourabh Gupta, Sourabh Sharma, Sundar Lal Sahu

Final Decision : Dismissed

Judgement

Sanjay K. Agrawal, J

1. The appellant/insurance company has preferred this appeal under Section 173 of the Motor Vehicles Act, 1988 calling in question the legality, validity and correctness of the impugned award dated 24.03.2023 passed by the learned Additional Motor Accident Claims Tribunal, Pratappur, District Surajpur, in Motor Accident Claim Case No. 79/2019, by which the claim application of the claimants has been allowed and liability has been fastened upon the insurance company to pay the compensation amount of Rs.9,97,200/- along-with interest @ 6% per annum from the date of filing of claim application.

2. Mr. Sourabh Gupta, learned counsel for appellant/ insurance company, would submit that the driver and the offending vehicle have falsely been implicated in the accident in question. Therefore, the finding recorded by the learned Claims Tribunal is perverse, which is liable to be set aside and the appellant/ insurance company be exonerated from its liability.

3. Mr. Sundar Lal Sahu, learned counsel for the respondent No.4 & 5 would support the impugned award and submit that the liability has rightly been fastened upon the insurance company and, as such, the appeal of the insurance

company deserves to be dismissed.

4. I have heard learned counsel for the parties, considered their rival submissions made herein-above and gone through the records minutely.

5. Perusal of the record would show that except taking the plea about the false implication of the driver and offending vehicle in the accident in question, no evidence has been adduced by the appellant/ insurance company. In that view of the matter, the learned Claims Tribunal has rightly fastened the liability to compensation upon the insurance company. As such, I do not find any merit in this appeal, the same is liable to be and accordingly dismissed.

