



**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MAC No.630 of 2022**

1. Anjali Patela Wd/o Late Ranjit Patela Aged About 22 Years
2. Nitya Patela D/o Late Ranjit Patela Aged About 2 Years Legal Guardian Anjali Patela,  
Both R/o Lamjoda, District Kondagaon, Chhattisgarh

**---- Appellants**

**Versus**

1. Arvind Netam S/o Shri Ramchand Netam Aged About 26 Years R/o Bhatwapadar Para, Kondagaon, Tahsil And District Kondagaon, Chhattisgarh (vehicle driver)
2. Jagdish Netam S/o Motilal Netam Aged About 23 Years R/o Kukad Garkapal, P.S. And Tahsil Kondagaon, Chhattisgarh. (Vehicle Owner)
3. IFCO Tokiyo General Insurance Company Ltd. Branch Near Hotel Grand Dillan, Nehru Nagar Bhilai, District Durg Chhattisgarh. (Insurance Company).
4. Bachchan Kumar Patela S/o Chainuram Patel Aged About 46 Years R/o Lamjoda, District Kondagaon, Chhattisgarh

**---- Respondents**

**MAC No.458 of 2022**

- IFFCO Tokio General Insurance Company Ltd. Branch Office, Near Hotel Grand Dillon, Nehru Nagar, Bhilai, District Durg, Chhattisgarh. (Insurer Of Motorcycle No. Cg 27 K-1375)

**---- Appellant**

**Versus**

1. Anjali Patela W/o Late Ranjeet Patela Aged About 22 Years
2. Nitya Patela D/o Late Ranjeet Patela Aged About 2 Years Through Natural Guardian Is Anjali Patela, Claimant No. 1
3. Bacchan Kumar Patela S/o Chainuram Patela Aged About 46 Years  
Respondent Nos.1 to 3 are R/o Village Lanjoda, District Kondagaon, Chhattisgarh
4. Arvind Netam S/o Shri Ramchandra Netam Aged About 26 Years R/o Bhatwapdar Para, Kondagaon, Tahsil And District Kondagaon, Chhattisgarh. (Driver Of The Vehicle)
5. Jagdish Netam S/o Motilal Netam Aged About 23 Years R/o Kukad Garkapal, Police Station And District Kondagaon, Chhattisgarh. (Owner Of Vehicle)

**---- Respondents**



30/11/2022	<p>Mr. T. K. Jha, counsel for the appellants in MAC No.630/2022 and respondents in MAC No.458/2022.</p> <p>Mr. Ujjwal Choubey, counsel for the appellant in MAC No.458/2022 and respondent in MAC No.630/2022.</p> <p><b><u>MAC No.630/2022</u></b></p> <p>Heard.</p> <p>Admit.</p> <p>Issue notice to the respondents. PF as per rules.</p> <p>Mr. Ujjwal Choubey, learned counsel accepts notice on behalf of respondent No.3, therefore, PF be paid for remaining respondents.</p> <p>Also heard on IA No.1/2022, application for grant of stay.</p> <p>Issue notice to the respondents on this application as well, as above.</p> <p>The instant appeal has been preferred against the award dated 01.12.2021 passed by the MACT, Kondagaon (C.G.) in Claim Case No.03/2021, whereby the claim of the claimants was allowed and they were held entitled to the amount of Rs.22,72,180/- with 6% interest as compensation.</p> <p>Learned counsel for the appellants submits that the appellants are the wife and daughter, respectively, of the deceased, whereas respondent No.4 is the father-in-law of the appellant No.1 and they were equally held entitled to the compensation amount and were awarded equal share of compensation, but the appellants being the widow and daughter of the deceased, they are liable for more share in the compensation amount. Therefore, it is prayed that the respondent No.4 may kindly be directed to be given only 20% share in the compensation amount.</p> <p>Considering the facts and circumstances of the case, purely as an interim measure, it is directed that disbursement of deposited claimed amount shall remain stayed till the next date of hearing.</p> <p>Certified copy as per rules.</p> <p>List the matter on 16.01.2023.</p>



**MAC No.458/2022**

List the matter along with MAC No.630/2022.

Sd/-  
**(Rajani Dubey)**  
Judge

Nirala

