

IN THE HIGH COURT OF DELHI AT NEW DELHI**+ FAO.No.194/2002**Date of decision: 19th November, 2009

BHUSHAN (MINOR) THR. RAJ RANI ARORA Appellant
Through : Mr. Ajit Singh, Adv.

versus

SATPAL & ORS. Respondents
Through : Mr. A.K. Soni, Adv. for R-3.

CORAM :-**THE HON'BLE MR. JUSTICE J.R. MIDHA**

1. Whether Reporters of Local papers may be allowed to see the Judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

JUDGMENT (Oral)

1. The appellant has challenged the award of the learned Tribunal whereby compensation of Rs.20,000/- has been awarded to him. The appellant seeks enhancement of the award amount.

2. The accident dated 11th September, 1995 resulted in the grievous injuries to the appellant. The appellant suffered fracture in his right leg above knee and in left leg below knee. Both the legs remained plastered for about 1½ months. The appellant was 10 years old at the time of the accident.

3. The learned Tribunal has awarded Rs.10,000/- towards pain and suffering, Rs.2,000/- towards conveyance, Rs.3,000/- for other expenses and Rs.5,000/- towards medicine and special diet.

4. The compensation awarded by the learned Tribunal is on a lower side and it warrants enhancement. Considering the facts and circumstances of this case, the compensation for pain and suffering is enhanced from Rs.10,000/- to Rs.20,000/-. The compensation for conveyance, other expenses and medicines and special diet is not disturbed. The learned Tribunal has not awarded any compensation for loss of amenities of life. Rs.10,000/- is awarded towards loss of amenities of life. The appellant is entitled to total compensation of Rs.40,000/-.

5. The appeal is allowed and the award amount is enhanced from Rs.20,000/- to Rs.40,000/-. The learned Tribunal has awarded interest @9% per annum which is not disturbed on the original award amount of Rs.20,000/-. However, on the enhanced award amount, the rate of interest shall be @7.5% per annum from the date of filing of the petition till realization.

6. The enhanced award amount along with interest be deposited by respondent No.3 with UCO Bank, Delhi High Court Branch A/c Bhushan by means of a cheque through Mr. M.M. Tandon, Member-Retail Team, UCO Bank Zonal, Parliament Street, New Delhi (Mobile No. 09310356400) within 30 days.

7. Upon such deposit being made, UCO Bank is directed to release the same to the appellant by transferring the same to his Saving Bank Account.

8. Copy of this order be given 'Dasti' to learned counsel for both the parties under signature of Court Master.

9. Copy of this order be also sent to Mr. M.M. Tandon, Member-Retail Team, UCO Bank Zonal, Parliament Street, New Delhi (Mobile No. 09310356400) through the UCO Bank, High Court Branch under the signature of Court Master.

J.R. MIDHA, J

NOVEMBER 19, 2009

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