Court No. - 2

Case :- FIRST APPEAL FROM ORDER No. - 1141 of 1993

Appellant :- Sri Krishna
Respondent :- Pratap Singh
Counsel for Appellant :- Madhav Jain
Counsel for Respondent :- Syed Ali Murtaza

Hon'ble Saral Srivastava,J.

1. Heard learned counsel for the appellant and learned counsel for respondent.

2. The present appeal has been filed by the claimant/appellant for enhancement of award.

3. It is submitted by the learned counsel for the claimant/appellant that in the instant case, claimant/appellant has suffered injuries in the accident, but the Tribunal has awarded very meagre amount of Rs.65,000/- as compensation. It is contended that considering the nature of injuries suffered by the claimant/appellant, the Tribunal should also have awarded some amount towards pain and suffering. It is further submitted that if claimant/appellant is paid a lump-sum amount of Rs.20,000/- in addition to what has been paid under the award, the claim of the claimant/appellant shall be satisfied and she shall not lay any further claim.

4. Per contra, learned counsel for the respondents would contend that considering the nature of injuries, the Tribunal has rightly awarded Rs.65,000/- as compensation and award needs no enhancement by this Court.

5. Considering the fact that claimant/appellant has suffered injuries in the accident for which inadequate compensation has been awarded by the Tribunal, therefore, in view of the said fact, this Court finds submission of learned counsel for the

claimant/appellant reasonable and accordingly, awards Rs.20,000/- in lump-sum to the claimant/appellant in addition to what has been awarded by the Tribunal. The insurance company is directed to pay the aforesaid amount within a period of three months from the date of production of certified copy of this order. If the aforesaid amount is not paid within the aforesaid period, the claimant/appellant shall be entitled to simple interest @ 6% per annum from the date of institution of claim petition till the date of its payment.

6. Accordingly, the appeal is ***disposed off***.

Order Date :- 27.10.2023
R.S. Tiwari

Digitally signed by :-
RAVI SHANKAR TIWARI
High Court of Judicature at Allahabad