

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**FAO NO. 404 OF 2002 (O&M)
DECIDED ON : 30.04.2015**

Deeg Ram

...Appellant

versus

Veer Singh and others

...Respondents

CORAM : HON'BLE MR. JUSTICE K. C. PURI

Present : Mr. Sudhir Aggarwal, Advocate,
for the appellant.

Ms. Madhu Sharma, Advocate,
for respondent No.4.

K. C. PURI, J. (ORAL)

This is an appeal directed by the claimant Deeg Ram
for enhancement of compensation.

The claimant Deeg Ram filed claim petition under
Section 166 of the Motor Vehicles Act, claiming compensation on
account of damage caused to his maruti car bearing registration
No. DL-6CD-4086.

Learned Tribunal, after adjudication, partly accepted
the claim petition and allowed a sum of ₹25,000/- along with
interest @ 9% per annum.

Feeling dissatisfied with the Award dated 16.10.2001 passed by Shri V. S. Malik, Motor Accident Claims Tribunal, Gurgaon, the claimant has preferred the instant appeal for enhancement of compensation.

Learned counsel for the appellant has submitted that Tara Chand, Works Manager of Somko Automobiles, was examined as PW-3 who has prepared the estimate that spare parts valuing ₹1,46,505/- were required and ₹25,000/- shall be the charges for repair. The appellant got repaired the Maruti car in question from Joginder mechanic and spent about ₹1,00,000/- on the repair which included ₹80,000/- value of spare parts and the remaining as repair charges.

I have heard learned counsel for the parties and have gone through the records carefully.

It is admitted case of the parties that the car was not got repaired from Somko Automobiles and as such, the statement of Tara Chand (PW-3) is meaningless. The claimant/appellant has not examined Joginder mechanic from whom the car in question was allegedly got repaired. The bald statement made by the appellant is not sufficient to prove that the damage was caused to the extent of ₹1,00,000/-. The Tribunal has rightly assessed the amount of compensation on account of damage caused to the car to the extent of ₹25,000/-. No scope for enhancement is made out from the evidence available on record.

In view of the above discussion, the appeal is without any merit and the same stands dismissed.

APRIL 30, 2015
shalini

(K. C. PURI)
JUDGE