

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

FAO No.615 of 1995 (O&M)

Date of decision: 06.05.2015

Ajit Singh

....Appellant

Versus

Darshan Singh and others

....Respondents

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

Present: Mr. P.S. Ahluwalia, Advocate
for the appellant.

Mr. Rohit Goswami, Advocate
for Mr. Vinod Chaudhari, Advocate
for respondent No.2.

K.C. PURI J. (Oral)

This is an appeal directed by the injured-claimant,
namely, Ajit Singh for enhancement of compensation.

The learned Tribunal after adjudication partly accepted
the claim petition and allowed a sum of Rs.15,000/- in all.

Learned counsel for the appellant has submitted that
the injured-claimant suffered 22% permanent disability. There was
fracture of left ankle and plaster was applied. The claimant-Ajit
Singh remained in Rajindra Hospital so, the amount of
compensation of Rs.15,000/- is on the lower side. It is further
submitted that the claimant-injured was suffering from pott's

fracture left ankle and was applied the plaster after stitching the local wound so, the amount should be calculated in respect of medical expenses, damages for future earning, damages for pain and suffering, loss of amenities of life, loss of expectation of life, loss of earning during the period of treatment.

On the other hand, learned counsel for the insurance company has supported the judgment of the Tribunal.

I have considered the submissions made by learned counsel for both the parties and have gone through the paperbook and record with their able assistance.

The amount of compensation has to be assessed by keeping in view the price index of 1992. The amount of Rs.15,000/- in respect of 22% permanent disability is on lower side. The Tribunal should have taken into account the loss of earning during the period of his treatment, loss of future earnings, medical expenses, damages for pain and suffering, loss of amenities of life and loss of expectation of life.

So, keeping in view all the heads mentioned-above, the ends of justice would be met in case, a sum of Rs.50,000/- be granted to the claimant by taking into account the price index of 1992. So, the claimant is held entitled to claim Rs.50,000/- in all on account of abovesaid heads. The said amount shall carry interest @ 7.5% per annum from the date of application till payment. The liability to pay the amount shall be same as ordered

by the Tribunal.

Appeal stands partly accepted to the extent mentioned above.

A copy of this order be sent to the Tribunal for compliance.

06.05.2015
yakub

(K.C. PURI)
JUDGE