

THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

FAO No. 101 of 2000

Date of decision : 20.02.2015

Gian Chand

.....Appellant

Versus

Satish and others

...Respondents

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

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

Present: Mr. Shamsheer Singh, Advocate for
Mr. Harkesh Manuja, Advocate
for the appellant

Mr. Rohan Sharma, Advocate for
Mr, Vikram Singh, Advocate
for respondent No. 1

Mr. Suvir Dewan, Advocate
for respondent No. 5

ANITA CHAUDHRY, J.

This is claimant's appeal seeking modification of the award.

Gian Chand met with an accident on 27.08.1997. He suffered a fracture and was hospitalized for 18 days. The Tribunal awarded the actual expenses made on the treatment i.e ₹ 11,000/-. A sum of ₹ 5,000/- was allowed for pain and suffering. Another sum of ₹ 6000/- was added for loss of income for four months. The monthly income of the claimant was taken as ₹ 1,500/- and a total

claim of ₹ 22,000/- was allowed vide award dated 17.8.1999.

The submission on behalf of the appellant is that sufficient amount had not been awarded for pain and suffering, loss of income and future expenses. It was urged that no account for the fracture was given and the claimant was not able to work.

The counsel representing the Insurance Company supported the judgment and urged that there was no disability and the claimant had been sufficiently compensated.

The claimant did not suffer any disability. No evidence was led with respect to the income. The Tribunal had taken the income of the claimant to be that of a labourer. It has not been shown that the minimum wages were higher than what was allowed by the Tribunal. It has not been shown that any amount was spent on treatment after the award was passed. The Tribunal had awarded compensation on all the heads. The appellant had been sufficiently compensated. The appeal is dismissed.

20.02.2015

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(ANITA CHAUDHRY)
JUDGE