

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.184 of 2007 (O&M)
Date of decision: 28.07.2015

Sunil Kumar

..... Appellant

versus

Ajit Singh and others

..... Respondents

CORAM: Hon'ble Mr. Justice Kuldip Singh

Present: Mr. Surender Dhull, Advocate for the appellant
Mr. Paul S. Saini, Advocate for respondent No.3

1. *Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

Appellants have filed this appeal against the award dated 19.5.2006, passed by the Motor Accident Claims Tribunal, Rewari (for short, the Tribunal), vide which, compensation to the tune of Rs.44,255/- was allowed to the claimant, for the injuries received by him in motor vehicle accident on 25.1.2004. The details of the same are as under:-

1.	Medical bills	Rs.29,255/-
2.	Pain and suffering	Rs.10,000/-
3.	Special diet transport and attendant	Rs.5,000/-
Total		Rs.44,255/-

I have heard learned counsel for the appellant and have carefully gone the file.

It is contended by learned counsel for the appellant that

he had examined Dr.P.C.Singla as PW2 who has stated that he had performed two operations on the claimant. He also proved discharge summary (Ex.P34) showing that there was head injury and fracture on the person of the claimant. The Tribunal disallowed the medical bills Ex.P1 to Ex.P16 on the ground that no prescription for the medicines and the plates etc. has been proved. Further the receipt of some payment Ex.PW2/1 to Ex.PW2/5 have also been disallowed.

I have gone through the documents. I am of the view that as per statement of doctor, two operations were done. Therefore, for that a separate prescription for plates, screws etc. was not required. Claimant remained admitted in the hospital for 22 days and certainly medicines were purchased. Therefore, even if a separate prescription is not there, the Tribunal has no reason to doubt the genuineness of those bills. Therefore, all the bills Ex.P1 to Ex.P16 as well as Ex.PW2/1 to Ex.PW2/5 are allowed. The total of these bills comes to Rs.29,470/-. Since the claimant remained admitted in hospital for 22 days and he was suffering head injury, therefore, it can be assumed that he could not have attended his personal pursuits for two months, for which, a compensation of Rs.5000/- per month for two months is allowed. Additional compensation of Rs.39,470/- is allowed over and above the amount already awarded by the Tribunal. This amount will be paid along with interest @ 7.5% per annum from the date of filing of claim petition till realization.

In view of the above, the appeal is allowed.

28.07.2015*gk*

(Kuldip Singh)
Judge