

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.4869 of 2007 (O&M)
Date of Decision:31.10.2015

Rattan Singh

....Appellant

Versus

HMT Pinjore and others

....Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Argued by: Mr. Mohit Setia, Advocate for
Mr. Gaurav Chopra, Advocate for the appellant.

Mr. Arvind Kashyap, Advocate for respondents No.1 and 2.

Mr. Suvir Dewan, Advocate for respondent No.3-
Oriental Insurance Company Ltd.

NAVITA SINGH, J.

1. The appellant was granted compensation to the tune of Rs.90,000/- by Motor Accidents Claims Tribunal, Panchkula (Tribunal for short), for the injuries sustained by him in an accident which took place on 16.1.2002. Feeling dissatisfied with the amount, the appellant came up in appeal.

2. So far as the award is concerned, Tribunal rightly held that the petitioner, i.e. the appellant here, could not be allowed to take advantage of his own mistake because despite application moved by the Insurance Company, the appellant did not furnish the driving licence. He intentionally withheld the same which showed a collusion between the appellant and respondents No.1 and 2 i.e. driver and owner.

3. The appellant was fairly compensated for the treatment, disability, pain and suffering and also for transportation and special diet etc. An amount of Rs.90,000/- for an accident in 2002 was not at all on the lower side. No enhancement is called for.

4. The appeal is dismissed.

(NAVITA SINGH)
JUDGE

31.10.2015
Ishwar

Whether to be referred to reporter: Yes/No