

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

**FAO No.4404 of 2009 (O&M)
Date of decision: 21.04.2015**

Jagtar Singh

....Appellant

Versus

Avtar Singh and others

....Respondents

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

Present: Mr. Arun Luthra, Advocate
for the appellant.

Mr. D.S. Matya, Advocate
for Mr. S.S. Dinarpur, Advocate
for respondent No.1.

Mr. R.L. Yadav, DAG, Haryana
for respondents No.2 and 3.

K.C. PURI J. (Oral)

This is an appeal directed by the injured-claimant for enhancement of the compensation in respect of the injuries sustained by him in a motor vehicular accident.

The learned Tribunal has partly accepted the claim petition and allowed a sum of Rs.45,357/-, detailed as under:-

- | | |
|---------------------------|-------------|
| 1. Pain and suffering | Rs.3,000/- |
| 2. Medical expenses | Rs.32,357/- |
| 3. Transportation charges | Rs.1,000/- |
| 4. Special Diet | Rs.1,000/- |

5. Loss of income	Rs.8,000/-
Total	Rs.45,357/-

Learned counsel for the appellant has submitted that the claimant-injured remain admitted in the hospital from 18.11.2005 to 28.11.2005. The amount of Rs.3,000/- in respect of pain and suffering and the amount of Rs.1,000 in respect of transportation charges, the amount of Rs.1,000/-in respect of special diet are on the lower side. It is further submitted that the amount of Rs.8,000/- in respect of loss of income is on the lower side. It is further submitted that the attendant charges have not been allowed by learned Tribunal.

Learned counsel for the respondents has supported the judgment of the learned Tribunal. It is submitted that adequate compensation has been allowed.

I have considered the submissions made by learned counsel for both the parties and have gone through the case file and record carefully.

There is nothing on the file that claimant has suffered a permanent disability, however the amount of Rs.3,000/- in respect of pain and suffering is on the lower side. So, another sum of Rs.7,000/- stands allowed in respect of pain and suffering. The claimant is also held entitled to claim Rs.5,000/- instead of Rs.1,000/- in respect of transportation charges. The claimant is also held entitled to claim Rs.5,000/- in respect of special diet

instead of Rs.1,000/- awarded by the learned Tribunal. However, the amount of Rs.8,000/- allowed in respect of loss of income does not call for any interference as he has not suffered any permanent disability. Another sum of Rs.5,000/- stands allowed in respect of attendant charges. So, in this manner, the claimant is held entitled to claim Rs.20,000/- more in addition to the amount awarded by the learned Tribunal.

The enhanced 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 learned Tribunal.

Appeal stands disposed of, accordingly.

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

21.04.2015
yakub

(K.C. PURI)
JUDGE