

CM No.3086-CII of 2012 IN/AND
FAO No.663 of 2012

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM No.3086-CII of 2012 IN/AND
FAO No.663 of 2012
Date of Decision:12.02.2015

Ranjit Singh

....Appellant

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Surender Deswal, Advocate for the appellant.

Mr. Anmol Malik, AAG, Haryana for respondents No.1 & 2.

Ms. Monika Jangra, Advocate for
Ms. Vandana Malhotra, Advocate for respondent No.4-
National Insurance Company Ltd.

NAVITA SINGH, J.

CM-3086-CII of 2012

In view of the reasons given in the application and accompanying affidavit of the applicant-appellant, CM is allowed and the delay of 258 days in filing the appeal is condoned.

FAO No.663 of 2012

1. The appeal is preferred by the appellant against the award dated 8.5.2008 passed by Motor Accident Claims Tribunal, Ambala (Tribunal for short), whereby compensation to the tune of Rs.75,000/- was granted to the appellant on account of injuries received by him in an accident occurred on 23.10.2014.

2. The appellant found the compensation of Rs.75,000/- inadequate and challenged the award on the ground that proper amount for expenditure on treatment was not given and also nothing was granted for special diet, follow-up treatment, attendant charges and transportation.

3. Counsel for the appellant argued that the injured had undergone three surgeries because he had suffered a fracture and rod was inserted. He, therefore, required an attendant while he was bedridden and also he had to take special diet. He had to visit his doctor for follow-up treatment as well.

4. Counsel for the Insurance Company submitted that sufficient amount was awarded as the appellant had been compensated for the disability and also a good amount of Rs.25,000/- was awarded for pain and suffering. He had not proved any of the medical bills or papers as per law and yet the Tribunal awarded a sum of Rs.40,000/- for expenses on treatment.

5. So far as the amount already awarded by the Tribunal is concerned, the same calls for no alteration. However, it is felt that the appellant should be compensated for special diet, attendant charges, follow-up treatment etc. Under the said heads, a cumulative amount of Rs.50,000/- is granted. The amount shall stands enhanced from Rs.75,000/- to Rs.1,25,000/-. However, the interest on the enhanced amount shall be chargeable at the rate of 6% per annum.

6. The appeal is partly allowed in the above terms.

(NAVITA SINGH)
JUDGE

12.02.2015
Ishwar

Whether to be referred to reporter: No