

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-29140-CII-2014
in/ and FAO-10609-2014 (O&M)

Date of decision: 14.05.2015

Rajwinder Kaur

..... Appellant

versus

Jagtar Singh and another

..... Respondents

CORAM: Hon'ble Mr. Justice Kuldip Singh

Present: Mr. Ishant Cooner, Advocate for
Mr. Jagtar Singh Cooner, Advocate for the appellant

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)

CM-29140-CII-2014

This application has been filed for condonation of 28 days delay in filing the appeal. The application is accompanied by an affidavit. For the reasons mentioned therein, it is allowed and 28 days delay in filing the appeal stands condoned.

FAO-10609-2014

In this case, on 5.6.2013 Rajwinder Kaur - appellant suffered grievous injuries in a motor vehicular accident in which the Tribunal awarded the compensation to the tune of Rs.74,000/- along with the interest @ 7.5% per annum. The assessment of the same is

as under:-

i) Medical expenses on treatment:		Rs.45,000/-
ii) Pain and suffering	:	Rs.10,000/-
iii)Transportation	:	Rs.5,000/-
iv)Loss of income	:	Rs.9,000/-
v) Expenses of attendant	:	Rs.5,000/-
Total	:	Rs.74,000/-

Learned counsel for the appellant has argued that in this case, for pain and suffering, only Rs.10,000/- have been awarded and nothing has been awarded for disability which is 30% in this case. However, the perusal of the award shows that the Dr.Naveen Khunger (PW2) had admitted in cross-examination that the disability is temporary and such type of disability could be recovered within 3-4 months. As the disability was only for 3-4 months, therefore, in such case, Rs.10,000/- are sufficient for pain and sufferings. The compensation for loss of income has been awarded. All the medical expenses have been allowed. Thus, there is no illegality or infirmity in the impugned awarded.

Hence, the appeal is dismissed.

14.05.2015
gk

(Kuldip Singh)
Judge