

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

FAO-2683-2013
(MACT case No.153 dated 9.8.2012)
Date of decision: 24.8.2015

Simran

...Appellant

Versus

Pritam Singh and others

...Respondents

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.PK Kataria, Advocate for the claimant-appellant

Mr.Arun Sharma, Advocate for
Mr.TK Joshi, Advocate
for respondent No.3-Insurance Company

SNEH PRASHAR, J.

The present appeal has been filed by the claimant-appellant, seeking enhancement of the compensation amount awarded by learned Motor Accident Claims Tribunal, Jind (for short 'the Tribunal'), vide award dated 18.12.2012, on account of the injuries sustained by her in a motor vehicular accident.

The submissions made by learned counsel for the parties have been heard and record perused.

It is submitted on behalf of the appellant that due to the accident, she suffered multiple injuries on face, forehead and also on other parts of the body. Initially she was admitted in District

Hospital Mathura and thereafter she took treatment from General Hospital Jind. Submitting that no amount has been awarded towards transportation charges and also the amount awarded towards pain and suffering is on the lower side, learned counsel prayed for enhancement of the same.

The factum that the appellant suffered injuries during the accident is not a matter in issue. As per MLR Ex.P5 and Bed head ticket Ex.P33 of the appellant, it appears that she suffered only simple injuries and was treated at General Hospital, Jind. The amount of Rs.10,000/- given on account of pain and suffering is adequate. Two of the injuries on the person of the appellant were lacerated wounds bone deep on the forehead and on the left side eye brow. As a result of the said injuries she must have sustained visible scars on the face, which will cause embarrassment to her throughout life. As such, the amount of Rs.10,000/- given under the head of disfigurement of face is enhanced to Rs.30,000/-.

From the site of accident, the appellant was taken to District Hospital, Mathura for treatment, where she was medico legally examined and was given the required treatment. The medicines bills produced by the appellant are of Rs.1800/-, the amount of which had been allowed by learned Tribunal. However, the appellant must have incurred some more expenses on her follow

up treatment, which she had taken from General Hospital/ Charitable Hospital, Jind. In addition to the same, the fact that the appellant had spent on her transportation from Mathura to Jind and she required nutritious diet because of the injuries sustained. On all these counts, the amount of Rs.1800/-allowed by learned Tribunal is enhanced to Rs.10,000/-.

Accordingly, the enhanced amount i.e. Rs.28,200/- shall be paid to the claimant-appellant, within 45 days from the date of the receipt of the certified copy of the judgment, failing which, the same shall carry interest @ 7.5% per annum from the date of the filing of the appeal till its realisation.

In the above premises, the present appeal is partly allowed and the impugned Award is modified to the above extent.

24.8.2015
gsv

(SNEH PRASHAR)
JUDGE