

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

FAO-2686-2013  
(MACT case No.150 dated 9.8.2012)  
Date of decision: 24.8.2015

Dheeraj Kumar Gill

...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

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**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 him 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 he suffered multiple injuries on his shoulder and deep scars on his forehead and face. He had to undergo plastic surgery for removal of the scar.

Submitting that the compensation awarded by learned Tribunal is on the lower side, learned counsel prayed that the same be enhanced.

On the other hand, the learned counsel for the respondent- Insurance Company asserted that there is no disability suffered by the appellant and therefore, the compensation awarded by the learned Tribunal is just and adequate.

There is no denial of the fact that a vehicular accident had taken place on 31.12.2011 and the appellant was a victim of the same as he suffered multiple injuries during the accident. PW4 Dr.Banish Garg testified that the appellant suffered head injury, blunt trauma chest, dislocation of left side shoulder and lacerated wound on forehead. A sum of Rs.11000/- was charged from him for orthopedic treatment and he was prescribed medicines.

The appellant did not suffer any kind of disability. He remained hospitalised from 2.1.2012 to 3.1.2012, which means only for one day. However, the injuries were multiple and he must have suffered lot of pain and agony. Considering the same, the amount awarded towards this head is enhanced from Rs.10,000/- to Rs.25,000/-. He had to visit the hospital for follow up treatment. No amount has been awarded towards transportation charges. Therefore, a sum of Rs.5,000/- under the said head is allowed. The appellant had suffered only one lacerated wound on the forehead,

which could leave scar, but for that he has been allowed a sum of Rs.10,000/- which is just and adequate. As stated by the doctor, he was prescribed medicines after discharge from hospital on which he had incurred expenses in addition to the bill raised by the doctor. Therefore, the amount awarded towards expenditure on treatment is enhanced from Rs.11,000/- to Rs.16,000/-.

Accordingly, the enhanced amount of Rs.25,000/- 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**