

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

FAO No. 2807 of 2013

Date of Decision:- 14.07.2015

Parkash

.....Appellant

Versus

Jasbir and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN**

1. Whether Reporters of local papers 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?

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

Mrs. Shamsheer Kaur, Advocate  
for respondent No.3-Insurance Company.

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**SHEKHER DHAWAN, J. (Oral)**

Present appeal is challenge to the Award dated 22.03.2013 whereby the Motor Accidents Claims Tribunal, Sonapat (hereinafter to be referred as 'The Tribunal') awarded compensation of ₹70,810/- on account 20% temporary disability having been suffered in motor vehicle accident which took place on 06.01.2012.

2. Learned counsel for the appellant took the plea that appellant was of the age of 60 years and he was agriculturist. He had suffered a lot

on account of pain and suffering, loss of earnings and loss of enjoyment of life. Apart from that, he had to spend huge amount on transportation, special diet and attendant charges but 'The Tribunal' has not taken care of all these aspects while awarding compensation.

3. Learned counsel for respondent No.3-Insurance Company, took the plea that 'The Tribunal' has already awarded just compensation specially in view of the facts that disability was temporary and that medical expenses had already been reimbursed to the appellant. He was of the age of 60 years. So, the appeal is without any merit and same be dismissed.

4. Having considered the rival contentions raised by counsel for both the parties, this Court is of the considered view that 'The Tribunal' has already taken care of medical expenses incurred by the appellant and the same have been reimbursed. 'The Tribunal' awarded a sum of ₹20,000/- on account of 20% disability, which was temporary disability in this case. Apart from that, a sum of ₹5,000/- on account of pain and suffering. Another sum of ₹5,000/- for transportation and a sum of ₹10,000/- on account of loss of earnings. However, keeping in view the fact that the appellant was of the age of 60 years and was agriculturist and he had suffered on account of loss of income because of 20% disability. Nothing has been awarded on account of attendant charges or special diet. In view of theses facts, the amount of compensation is enhanced from ₹70,810/- to ₹1,00,000/-.

5. The enhanced amount of compensation of ₹29,190/- shall be payable from the date of claim petition along with interest @ 7.5% per annum from the date of amount due. Remaining conditions of disbursal of amount shall remain unaltered.

6. Accordingly, the present appeal is accepted partly.

July 14, 2015  
naresh.k

**( SHEKHER DHAWAN )**  
**JUDGE**