

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.4482 of 2013 (O&M)
Date of Decision:05.10.2015

Sunil Kumar

....Appellant

Versus

Rakesh Kumar alias Sethi and others

....Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

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

Ms. Vandana Malhotra, Advocate for respondent No.3-
United India Insurance Company Ltd.

NAVITA SINGH, J.

1. The appellant was awarded compensation to the tune of Rs.4,04,000/- by Motor Accidents Claims Tribunal, Rewari (Tribunal for short) qua the injuries sustained by him in a road accident on 31.5.2011. Finding the amount inadequate, the present appeal was filed.

2. Counsel for the appellant argued that the income of the appellant was taken to be mere Rs.6000/- per month and he was compensated for loss on that count for three months. The income was not properly assessed and further that the amount given for pain and suffering, attendant and special diet was also less. Counsel for the Insurance Company, however, contended that the amount awarded was adequate and all the heads, for which compensation is awarded, were considered by the Tribunal.

3. On account of 19% disability, the appellant was given an amount of Rs.57,000/-. For pain and suffering, an amount of Rs.35,000/- was awarded. The sum of Rs.6000/- given under each head i.e. special diet and attendant charges was also sufficient. Income was also rightly taken and loss of income for three months was awarded. A well reasoned award was passed by the Tribunal considering each and every aspect and then granting adequate compensation

under all the heads. Everything was taken care of and as such the appellant should have no grievance.

4. No ground for enhancing the compensation on any count is made out.

5. The appeal is dismissed.

(NAVITA SINGH)
JUDGE

05.10.2015
Ishwar

Whether to be referred to reporter: Yes