

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

**FAO NO. 4150 OF 2014 (O&M)
DECIDED ON : 27.04.2015**

Ravi Kumar

...Appellant

versus

Manav Arora and others

...Respondents

CORAM : HON'BLE MR. JUSTICE K. C. PURI

Present : Mr. Sourabh Goel, Advocate,
for the appellant.

K. C. PURI, J. (ORAL)

This is an appeal directed by the injured Ravi Kumar against the Award dated 16.10.2013 passed by Ms. Gurvinder Kaur, Motor Accident Claims Tribunal, Panchkula, for enhancement of compensation.

Learned counsel for the appellant has submitted that the claimant was a gym instructor and on account of 5% disability of lower limb, he is unable to do his aforesaid job. It is further submitted that the disability should have been taken as 100%. The amount of ₹1,39,130/-, in these circumstances, is on lower side.

The learned Tribunal has allowed the total compensation under different head as under :-

<i>S.No.</i>	<i>Head</i>	<i>Amount in ₹</i>
1	Loss of income	Nil
2	Medical expenses	34,530/-
2(i)	Medicines	NIL
(ii)	Hospital charges	NIL
(iii)	Attendant charges	NIL
(iv)	Special diet	5,000/-
(v)	Future Medical Expenses	NIL
3	Transportation	3,000/-
4	Reduction in life expectancy/loss of amenities pain and suffering per fracture/per surgery	NIL
5	Pain and suffering per fracture/per surgery	13,000/-
6	Disability in percentage	40.00%
7	Loss of earning power in percentage	25.00%
8	Income x % of loss of earning power x multiplier	75,600/-
9	Loss of prospect of marriage/special damages	NIL
10	Total	1,39,130/-

I have heard learned counsel for the appellant and have gone through the records carefully.

An amount of ₹75,600/- in respect of 5% disability cannot be said to be on lower side. The appellant remained admitted in hospital for 13 days only i.e from 18.07.2011 to 30.07.2011. In these circumstances, no ground for interference by this court is made out.

Consequently, the appeal is without any merit and the same stands dismissed.

APRIL 27, 2015
shalini

(K. C. PURI)
JUDGE