

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CM No.13487-CII of 2014
in/ and FAO-4785-2014 (O&M)

Date of decision: 14.05.2015

Sanjeev Kumar

..... Appellant

versus

Kulbir Singh and others

..... Respondents

CORAM: Hon'ble Mr. Justice Kuldeep Singh

Present: Mr. Rakesh Bakshi, Advocate for the appellant

- 1. Whether Reporters of Local Newspapers 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?*

Kuldeep Singh, J. (Oral)

CM No.13487-CII of 2014

Along with appeal, the appellant has filed an application for condonation of delay of 153 days in filing the appeal. However, the office has not listed the same. The same is taken on board.

This application has been filed for condonation of delay of 153 days in filing the appeal. The application is accompanied by an affidavit. For the reasons mentioned therein, it is allowed and 153 days delay in filing the appeal stands condoned.

FAO-4785-2014 (O&M)

Appellant – Sanjeev Kumar, who was injured in a motor vehicular accident, which occurred on 6.10.2012, has filed this appeal against the award dated 17.9.2013, passed by the Motor

Accident Claims Tribunal, Ambala (in short, 'the Tribunal').

In this case, a compensation of Rs.51,000/- was allowed to the appellant along with the interest @ 7.5% per annum from the date of institution of the petition till its realization.

Learned counsel for the appellant states that no compensation for future treatment has been given. However, the Tribunal has observed that no medical evidence was produced to show that any future medical treatment is required. Therefore, same was rightly disallowed. There was only 5% temporary disability. The appellant could not prove his income and his income was taken to be of an ordinary labourer, earning @ Rs.4500/- per month. Therefore, the compensation for the loss of income for one month was rightly allowed. The compensation for pain and suffering was also rightly allowed. All the medical bills have been allowed. Thus, there is no illegality or infirmity in the impugned award.

Accordingly, the appeal is dismissed.

14.05.2015

gk

(Kuldip Singh)
Judge