

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

CM-7623-CII-2015 in/and

FAO No.4789-2014

Date of Decision: April 21, 2015

Sanjiv Kumar

.... Appellant

vs.

Sushil Kumar and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Surender Deswal, 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?*

Kuldip Singh J.(Oral)

CM-7623-CII-2015

This is an application for restoration of the main appeal i.e. FAO No.4789 of 2014, which was dismissed in default by this Court vide order dated 06.04.2015.

In view of the averments made in the application, the main appeal i.e. FAO No.4789 of 2014 is restored to its original number and is ordered to be heard today

Application stands disposed of.

FAO-4789-2014

In this case, appellant Sanjiv Kumar, who was a Band Master met with a motor vehicular accident on 13.04.2012. As a result of the accident, he received scapula fracture on the right

shoulder and also fracture on cubic bone left side. He remained admitted in various hospitals for six days. The Tribunal awarded ₹35,000/- toward hospital and nursing charges and a sum of ₹41,186/- for medical bills, which includes the bill C-2 issued by the Virk Hospital, Karnal, which in total amounting to ₹76,186/-. Disability was 15% and regarding the whole body it was 7.5% only. In addition to the medical bills, the Tribunal also awarded ₹5,000/- for pain and suffering and another ₹5,000/- on account of loss of income during the said period were also allowed.

Learned counsel for the appellant has stated that insufficient compensation has been awarded on account of loss of income, medical expenses, future treatment and future prospects.

After examining the Award, I am of the view that just and fair compensation has been awarded. Charges for all the medical bills and compensation for six days admission in the hospital has also been awarded. Therefore, there is no ground to interfere in the impugned Award.

The appeal is accordingly dismissed.

April 21, 2015
sarita

(KULDIP SINGH)
JUDGE