

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

FAO No.648 of 2014 (O&M)

Date of decision: 26.03.2015

Jagat Nath

..... Appellant

versus

Rakesh Kumar and another

..... Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Parminder Singh, Advocate for the appellant
Mr.M.B.Jain, Advocate for respondent No.2

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)

This is claimant's appeal against the award dated 31.5.2013, passed by Motor Accident Claims Tribunal, Karnal (for brevity, 'the Tribunal').

The claimant had suffered fracture on his left leg as a result of motor vehicular accident which occurred on 27.3.2010. It was claimed that the claimant, who was 60 years of age, was employed in M/s Mittal Sales, Karnal. Before the Tribunal, no proof of the employment was put forward. Therefore, his income was taken to be Rs.4200/- per month. Disability of the whole body was 10%. Therefore, the Tribunal awarded total sum of Rs.1,34,318/- under different heads, enumerated in paragraph No.17 of the award.

Learned counsel for the appellant has argued that the

charges under the heads hospital charges, attendant charges and special diet are on the lower side. The Tribunal awarded the following charges under these heads:-

Hospital Charges *Rs.17600/-*

Attendant Charges *Rs.2000/-*

Special diet *Rs.3000/-*

I am of the view that in this case, the injury was on the left ankle and in these circumstances, the claimant did not need attendant for a longer period. All the hospital charges have been allowed. Special diet of Rs.3000/- has been allowed. There is nothing to show that the amount awarded is on the lower side.

It being so, no ground to interfere in the award.

Resultantly, the appeal stands dismissed.

26.03.2015
gk

(Kuldip Singh)
Judge