

HIGH COURT OF CHHATTISGARH, BILASPUR

MAC No.396 of 2016

Bhuneshwar S/o Mangaldas Narang, Aged About 22 Years R/o Village
Dhobanidih, Police Station Suhela, Tahsil Simga, District Baloda Bazar,
Chhattisgarh(Claimant)

---- Petitioner

Versus

1. Omprakash Chaturvedi S/o Mansharam Chaturvedi, Aged About 32 Years R/o
Ram Rampura, Police Station Khandsara, Tahsil Bemetara, District Bemetara,
Chhattisgarh(Driver Of Alleged Motorcycle Bearing Registration No.
C.G. 07- L L- 4120)
2. Hemant Chaturvedi S/o Mansharam Chaturvedi, Aged About 23 Years R/o
Village Rampura, Police Station Khandsara, Tahsil Bemetara, District
Bemetara, Chhattisgarh(Registered Owner Of Alleged Motorcycle
Bearing Registration No. C.G. 07- L L- 4120)

---- Respondents

For Petitioner : Shri A. L. Singroul, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03/05/2016

Heard on admission.

2. This is claimant's appeal for enhancement of the compensation in an injury case.

3. Learned counsel for appellant submits that as the appellant suffered fracture injury on his leg and he was a labourer, the Tribunal ought to have awarded just and proper compensation for pain and suffering, diet and loss of income during the period, when he could not take up his work due to late recovery.

4. A perusal of impugned award would show that the Tribunal has awarded an amount of Rs.50,000/- towards medical expenses, special diet and conveyance. Rs.25,000/- has been awarded towards pain and suffering as also loss of monthly income of the appellant, as claimed by him, has been accepted as six months and the

Tribunal has held that due to fracture injury, the appellant might not have earned for about six months and under the head of loss of income, an amount of Rs.27,000/- has been awarded.

5. Oral evidence that an amount of 3 lakhs has been incurred in treatment, has not been proved by any documentary evidence. No doctor has been examined to make out any case for permanent disability, either full or partial. Therefore, in these circumstances, I am of the opinion that just and proper compensation has been awarded by the Tribunal and the impugned award does not call for any interference.

6. In the result, the appeal is dismissed.

Sd/-
Manindra Mohan Shrivastava
Judge