

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

**FAO-1956 of 1997 (O&M)
Date of decision: 01.03.2016**

Raj Singh @ Rajinder Singh

...Appellant

Versus

Ladhu Ram Sharma and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sanchit Punia, Advocate for
Mr. B.S. Rana, Advocate
for the appellant (s).

Mr. Tushar Gautam, Advocate for
Mr. Harender Singh, Advocate
for respondent No.1.

Mr. Anil K. Gahlawat, Advocate
for respondent No.2.

JITENDRA CHAUHAN, J.

The present appeal has been filed by the injured-claimant against the impugned award dated 11.06.1997, passed by the learned Motor Accident Claims Tribunal, Gurgaon, (for short, 'the Tribunal').

The learned counsel for the appellant contends that the learned Tribunal has erroneously ignored the fact that the appellant remained admitted in a hospital at Azadpur, Delhi for 15 days and he spent a sum of Rs.88,000/- on his medical treatment or that he had suffered business loss to the tune of Rs.5,000/-. He further

refers to Mark 1 to Mark 38, cash memos and receipts of the expenditure incurred by the appellant-injured on his treatment.

On the other hand, the learned counsel for respondents state that the treating doctor was not examined by the appellant to prove his treatment. Therefore, the present appeal is liable to be set aside.

I have heard the learned counsel for the parties and perused the entire record on file.

In the instant case, neither the treating doctor nor any employee of the treating hospital or chemist was examined by the appellant to prove the expenses incurred on the treatment, medicines and the injuries suffered by him. Therefore, the appellant failed to lead any cogent evidence to make out his case. Thus, this Court finds no fault in the findings recorded by the learned Tribunal.

Consequently, the present appeal is hereby dismissed.

01.03.2016

ashok

**(JITENDRA CHAUHAN)
JUDGE**