

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

F.A.O. No.2890 of 1999 (O&M)

Date of decision : 02.05.2016

Tegbir Singh

..... Appellant

versus

Sukhbir Singh and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. A.P.S. Randhawa, Advocate
for the appellant.

Mr. Karminder Singh, Advocate
for respondent No.3-insurance company.

1. Whether Reporters of local papers 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?

AJAY TEWARI, J. (Oral)

This appeal has been filed by the claimant for the enhancement of compensation and to modify the award dated 17.03.1999 on account of injuries suffered by the appellant in a motor vehicular accident.

Brief facts are that on 01.01.1994 the appellant was going in car from Amritsar to Ludhiana. When he reached near Tangara, a truck came at high speed and hit in his car and as a result of accident he suffered multiple injuries. In the absence of any proof regarding his income, the Tribunal assessed his income as Rs.2000/- p.m. Since the disability was

45% the Tribunal held that total loss of income would be Rs.10,800/- p.a and by applying the multiplier of 14 awarded compensation of Rs.1,51,200/- on account of loss of income. The Tribunal further awarded Rs.83,640/- on account of medicines and hospitalization charges. It further awarded Rs.5160/- on account of special diet charges. The total amount awarded by the Tribunal was Rs.2,40,000/- alongwith interest @ 9% p.a.

Learned counsel for the appellant has argued that the amount awarded on account of medicines and hospitalization charges is very low. Further the Tribunal has not awarded anything for future expenditures on medicines. Further the Tribunal has not awarded anything on account of pain and suffering and loss of enjoyment of life.

Keeping in view the entire factual matrix, I deem it appropriate to award lumpsum amount of Rs.50,000/- more to the appellant. Ordered accordingly. The compensation amount shall be paid along with interest @ 8% p.a. from the date of filing of the claim petition till realization. The management of the compensation amount would be as per the direction of the Tribunal.

The appeal is disposed of in the above terms.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

May 02, 2016

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**(AJAY TEWARI)
JUDGE**