

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

FAO-3655-1999 (O&M)

Date of decision: 05.02.2016

Preeti Goyal

...Appellant

Versus

Shiv Shankar and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Anil Shukla, Advocate,
for the appellant.

Mr. Vinod Chaudhari, Advocate
for respondent No.3-Insurance Company.

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JITENDRA CHAUHAN, J.

The present appeal has been filed by the injured-claimant, seeking enhancement of the amount of compensation awarded by the learned Motor Accident Claims Tribunal, Faridabad, ('the Tribunal', for brevity) vide award dated 27.7.1999.

2. The learned counsel for the appellant contends that the compensation awarded by the learned Tribunal is inadequate in view of the fact that the appellant sustained multiple fractures in her left hand and remained hospitalised for 15 days.

3. On the other hand, the learned counsel for the Insurance Company contends that just and reasonable compensation has been

awarded to the appellant.

4. I have heard the learned counsel for the parties and perused the record.

5. Keeping in view the nature of injury, this Court feels that another sum of Rs.15,000/-, is awarded for 'pain and suffering and loss of enjoyment of amenities of life', will meet the ends of justice. It is ordered accordingly.

6. In view of the above, the claimant-appellant is held entitled to the enhanced compensation of Rs.15,000/- (enhancement towards 'pain and suffering')], as indicated above, over and above the amount already awarded by the learned Tribunal, which shall be payable within a period of 45 days from the date of receipt of a certified copy of this judgment, failing which, she shall also be entitled to interest as indicated in the award i.e. 7.5% per annum, from the date of filing the present appeal, till its realization.

7. With the aforesaid modification in the impugned award, the present appeal is partly allowed.

05.02.2016

ashok

**(JITENDRA CHAUHAN)
JUDGE**