

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

FAO-3900-2001 (O&M)

Date of decision: 30.03.2016

Satish

...Appellant

Versus

Sant Ram and others

...Respondents

CORAM:HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Rahul Rathore, Advocate
for the appellant.

Mr. Ashwani Talwar, Advocate
for respondent No.3.

JITENDRA CHAUHAN, J.

The instant appeal has been preferred by the appellant-claimant against the impugned Award dated 14.12.2000, passed by learned Motor Accidents Claims Tribunal, Rohtak, (for short, 'the Tribunal').

2. The learned counsel for the appellant contends that the learned Tribunal wrongly dismissed the claim petition filed by the claimant-appellant after disbelieving the version of the appellant with regard to injury suffered in the accident. He

further states that it has been proved on record by way of discharge card, Ex.P105 that the appellant had been admitted to the hospital on account of injuries. The learned Tribunal has gravely erred while ignoring the testimony of PW-12, father of the appellant, wherein he stated that he had spent Rs.20,000/- on the treatment of the appellant.

3. On the other hand, the learned counsel for the respondent-Insurance Company vehemently states that learned Tribunal has rightly denied the compensation to the appellant.

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

5. As per the appellant, he sustained multiple injuries while he was going to school in a tempo along with other students and when they reached near village Nigana, the bus in question came from opposite side and collided with tempo. The appellant has relied upon Ex.P105, discharge card, as per which, he was admitted in Civil Hospital Kalanur on 27.02.1998 and was discharged on next day. No injury was noticed upon his person. Neither any MLR nor any medical bill has been brought on record to prove his injuries.

6. In the circumstances, no fault could be found with the findings recorded by the learned Tribunal that the appellant has

not suffered any injury on his person in the accident. Thus, the compensation was rightly denied to appellant.

7. In view of the above, it is held that there is no irregularity or perversity in the award passed by the learned Tribunal.

Dismissed.

30.03.2016

sumit.k

**(JITENDRA CHAUHAN)
JUDGE**