

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No. 1752 of 2000 (O&M)

Date of decision : April 27, 2016

Man Singh,

..... Appellant

v.

Union of India and another,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Deepa Jain, Advocate for
Mr. Malkeet Singh, Advocate
for the appellant.

Mr. Aseem Aggarwal, Advocate
for respondent No.1-Union of India.

1. **Whether Reporters of Local Newspapers 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 injured-claimant for enhancement of compensation.

Brief facts are that on 8.10.1996 at about 4 pm, the claimant-Man Singh was going towards Ambala Cantt from village Mandeara on his scooter and when he reached near GOC's Residence Chowk, one military truck, being driven by respondent No.2, was going ahead of him. The claimant was about to overtake the offending vehicle but its driver turned the truck towards right side suddenly and struck against the scooter

of the claimant. As a result of this accident, the claimant fell down on the road and sustained serious injuries and his right leg was fractured. The Tribunal held respondent No.2 responsible for causing the accident, and awarded a sum of ₹ 20,000/- to the claimant for incurring expenses on his treatment, transportation and special diet, a sum of ₹ 60,000/- on account of disability incurred by him, a sum of ₹ 20,000/- for loss of income, and a sum of ₹ 15,000/- for suffering pain and agony.

Counsel for the appellant has argued that the appellant admittedly could not join his duty for 11 months and had been hospitalized for 3½ months. He has been paid ₹ 20,000/- for hospitalization and other expenses against expenses of ₹ 11,000/-, and in the circumstances, the sum of ₹ 9,000/- for transportation, medical attendant, special diet is highly inadequate. Even for loss on account of salary, only a sum of ₹ 20,000/- has been awarded, as against the admitted fact that his salary was ₹ 2520/- per month and he had to take leave for 11 months.

Counsel for the Union of India is not in a position to deny this fact.

In the circumstances, I award an amount of ₹ 7500/- more on account of loss of salary, and an amount of ₹ 83500/- more for special diet, transportation charges and attendant. The enhanced amount shall carry interest @ 8% pa from the date of application till the date of payment.

This appeal stands disposed of.

(AJAY TEWARI)
JUDGE

April 27, 2016
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