

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No. 928 of 2005 (O&M)

Date of decision: February 11,2016

Navin

.....Petitioner

VS.

Darshan and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE K.KANNAN

Present: Mr. S.P.Chahar, Advocate
for the appellant.

Mr. Deepender Ahlawat, Advocate
for respondent Nos. 1 and 3 to 6.

Mr. Neeraj Khanna, Advocate for
Mr. Ravinder Arora, Advocate
respondent No. 7.

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?

K.KANNAN,J (Oral)

The appeal is against an award passed for injuries suffered by a child aged 13 years. He had a compound fracture of tibia and the doctor had noticed a shortening of the limb, stiffness on the angle joint and what is stated in the order as osteomychlis. The Tribunal examined him and found him to have a weak leg. It has not assessed the several heads of claim but has observed that the boy had been an hospital of 13 days. There is evidence that the boy was being taken to the hospital on several occasions resulting in expenditure of about ₹ 12000/-.

2. Ideally each head of claim should have been separately dealt with. If I must allow for a loss of amenities to life for a child who have a stiff ankle on account of fracture and if about ₹ 18000/- should have been granted as loss of amenities, I will provide for a further sum of about ₹ 20000/- for pain and suffering, ₹12000/- for transportation and another ₹ 18000/- provided for attendant charges and hospital charges. The amount of what was assessed could be seem to be adequate. I will not subject the award to any reappraisal for want of any better evidence.

3. The appeal is dismissed.

FEBRUARY 11, 2016

Rajeev

**(K.KANNAN)
JUDGE**