

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

FAO-6942-2011 (O&M)

Date of decision: 30.05.2016

Devender

...Appellant

Versus

Randhir Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Govind Rana, Advocate for
Mr. Rajesh Gaur, Advocate
for the appellant.

Mr. Aseem Aggarwal, Advocate
for respondent No.2.

Ms. Madhu Sharma, Advocate
for respondent No.3.

JITENDRA CHAUHAN, J.

This appeal has been filed by the claimant-injured against the impugned award dated 28.03.2011, passed by learned Motor Accidents Claims Tribunal, Ambala, (for short, 'the Tribunal').

It is contended that the appellant had sustained the multiple injuries including the fractures in the accident which took place on 02.06.2009 due to the rash and negligent driving on the part of

respondent No.1. The appellant remained hospitalized for number of days and took treatment from various hospitals. Therefore, the learned Tribunal has erroneously dismissed claim petition.

On the other hand, the learned counsel for the respondents have vehemently opposed the present appeal and stated that the learned Tribunal has rightly declined the claim of the appellant.

I have heard the learned counsel for the parties and carefully perused the entire record on file.

The learned Tribunal rightly declined the claim of the appellant as he could not lead any cogent evidence with regard to his injuries. Though, herein the appellant has placed on record the medical bills (Annexures A-1 to A-10) to prove the expenses, which he allegedly incurred during his treatment, but the treating doctor to prove the injuries suffered by him was not examined for the reasons known to the appellant. In these circumstances, medical bills produced by the appellant do not lead to establish that the appellant had suffered the injuries in the said accident. Therefore, this Courts finds no merit in the present appeal. Consequently, the same is dismissed.

30.05.2016

ashok

**(JITENDRA CHAUHAN)
JUDGE**