

214.

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

FAO No.4141 of 2013 (O&M)

Date of decision:05.02.2016

Shiv Sagar

... Appellant

versus

Amarjit Singh @ Amardeep and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Ms. Kavita Sharma, Advocate,
for the appellant.

Mr. Pawan Hooda, Advocate,
for respondents 1 and 3.

Mr. Vivek Suri, Advocate, for
Mr. V. Ramswaroop, Advocate,
for respondent No.4.

Mr. Ram Avtar, Advocate,
for respondent No.6.

K.Kannan, J. (Oral)

1. The appeal is for enhancement of claim for compensation for an injury that resulted in fracture of the femur. There had been a surgery of open reduction and had prolonged treatment upto the year 2007, when the accident was on 12.10.2005. The Tribunal has provided for medical expenses only in part. All the bills produced in court aggregate to ₹47,251/- which I believe must be provided. If he was under treatment, who was a vegetable

vendor, and was contending that he was earning about ₹15,000/-, I will make a modest assessment considering that the accident was of the year 2005 that he was earning not less than ₹4,000/- and I will increase the loss of earning from ₹10,000/- of what has been assessed already to ₹50,000/-. The other heads of claim, namely, the pain and suffering and disability have been adequately provided. Under the circumstances, I will make possible an additional amount of ₹40,000/- towards loss of income and ₹9,141/- towards medical expenses which I round it off to ₹9,200/-. In all, there will be an additional compensation of ₹49,200/- which will attract interest at 7.5% from the date of petition till date of payment. The liability shall be in the same manner as determined already by the Tribunal.

2. The award stands modified and the appeal is allowed to the above extent.

(K.KANNAN)
JUDGE

05.02.2016
sanjeev