

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

**FAO No.2102 of 2015 (O&M)
Date of decision :14.01.2016**

Firoz Khan

.....Appellant

Versus

Rambir and another

...Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

1. Whether Reporters of the local papers may be allowed to see the judgment ? Yes
2. To be referred to the Reporters or not ? Yes
3. Whether the judgment should be reported in the Digest? Yes

Present: Mr. Mohan Singh Rana, Advocate for applicant-appellant.

DARSHAN SINGH, J.

CM-6491-CII-2015

There is delay of 15 days in filing the present appeal. The appellant has filed an application under Section 5 of the Limitation Act for condonation of delay.

Heard on the application.

In view of the reasons mentioned in the application, same is allowed.

FAO No.2102 of 2015

The present appeal has been preferred against the award dated 13.11.2014 passed by learned Motor Accidents Claims Tribunal,

Palwal, (hereinafter called the 'Tribunal') whereby the learned Tribunal has awarded a sum of Rs.76,000/- as compensation on account of the injuries suffered by the appellant-claimant in the motor vehicular accident which took place on 16.07.2013.

2. Learned counsel for the appellant contended that the plaintiff has suffered the fracture but the learned Tribunal has awarded only a sum of Rs.5000/- towards pain and suffering and loss of amenities of life, which is highly inadequate.

3. I have duly considered the aforesaid contentions.

4. As per the medical evidence, the claimant had suffered the fracture of proximal phalanx of right big toe with deformity so he has not suffered the fracture on any vital part of his body. Thus, I do not find any infirmity in the amount of compensation granted by learned Tribunal.

5. Consequently, the present appeal is without any merits and same is dismissed.

14.01.2016

sunil yadav

**(DARSHAN SINGH)
JUDGE**