

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

FAO No.2491 of 2015 (O&M)

Date of decision : 19.08.2016

Harmail Singh alias Mela Singh

.....Appellant

Versus

Rashpinder Singh and another

...Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. A.S. Barnala, Advocate for appellant.

DARSHAN SINGH, J.

CM-7720-CII-2015

There is delay of 06 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 and the delay of 06 days in filing the present appeal is hereby condoned.

FAO-2491-2015

The present appeal has been preferred by the appellant-claimant against the award dated 11.11.2014, passed by the learned Motor Accidents Claims Tribunal, Barnala (hereinafter called the "Tribunal") vide which the appellant-claimant has been awarded compensation to the tune of

₹10,85,000/- as compensation along with interest @ 6% per annum on account of the injuries suffered by him in the motor vehicular accident which took place on 05.03.2013.

2. The present appeal has been preferred by the appellant-claimant for enhancement of amount of compensation.

3. I have heard learned counsel for the appellant and gone through the paper-book carefully.

4. Learned counsel for the appellant-claimant contended that the learned Tribunal has not properly assessed the medical and treatment charges. The claimant has spent more than ₹12,58,908/- on his treatment but very less amount has been awarded by the learned Tribunal. He further contended that less compensation has been awarded under other heads and the interest awarded by the learned Tribunal is also on the lower side.

5. I have duly considered the aforesaid contentions.

6. The learned Tribunal, on the basis of the documentary as well as oral evidence brought on record, has assessed the cost of the treatment of the claimant as ₹10,50,000/-. At the time of arguments, learned counsel for the appellant could not point out as to which bill produced by the claimant has not been taken into consideration by the learned Tribunal and how the amount so assessed by the learned Tribunal is less.

7. The claimant has not suffered any permanent disability on account of the injuries received by him in this accident. The claimant has also been awarded ₹10,000/- on account of pain and suffering, ₹5000/- towards special diet and ₹20,000/- on account of loss of income. Total ₹

10,85,000/- has been awarded by the learned Tribunal to the claimant on account of the injuries suffered by him, which seems to be just compensation.

8. The learned Tribunal has not committed any illegality in awarding the interest at the rate of 6% per annum on the amount of compensation assessed by it.

9. Therefore, the appeal filed by the appellant-claimant being without any merit, is hereby dismissed.

19.08.2016

sunil yadav

**(DARSHAN SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No