

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

**FAO-5483-2013 (O&M)
Date of decision: 01.02.2016**

Anil Kumar

...Appellant

Versus

Upender and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. Bhavna Grewal, Advocate for
Mr. S. K. Yadav, Advocate for the appellant.

Ms. Vanita, Advocate for
Ms. Lovedeep Kaur Walia, Advocate
for the respondents

JITENDRA CHAUHAN, J.

The present appeal has been filed by the injured-claimant, seeking enhancement of the amount of compensation awarded by the learned Motor Accident Claims Tribunal, Narnaul, ('the Tribunal', for brevity) vide award dated 04.09.2013.

2. The learned counsel for the appellant contends that due to the accident in question the appellant remained out of job for 7-8 months, therefore, there is clear loss of income for the said period. The consolidated compensation awarded by the learned Tribunal is also on lower side.

3. On the other hand, the learned counsel for respondents, contends that the compensation already awarded is just and reasonable.

4. I have heard the learned counsel for the parties and perused the record.

5. The appellant was 23 years of age at the time of the accident. As per the disability certificate, Ex.PW1/A, the appellant suffered disability to the extent of 7% on account of injury left knee. However, the learned Tribunal awarded the consolidated compensation amounting to Rs.85,000/-. Keeping in view the nature of injury and the extent of disability, this Court feels that another sum of Rs.15,000/-, is awarded for 'pain and suffering and loss of enjoyment of amenities of life', will meet the ends of justice. It is ordered accordingly.

6. In view of the above, the claimant-appellant is held entitled to enhanced amount of compensation of Rs.15,000/-, as indicated above, over and above the amount already awarded by the learned Tribunal, which shall be payable within a period of 45 days from the date of receipt of a certified copy of this judgment, failing which, he shall also be entitled to interest as indicated in the award i.e. 7.5% per annum, from the date of filing the present appeal, till its realization.

7. With the aforesaid modification in the impugned award, the present appeal is partly allowed.

01.02.2016

**(JITENDRA CHAUHAN)
JUDGE**