

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

**FAO No.2492 of 2016 (O&M)**

**Date of decision : 10.08.2016**

**Rakesh**

.....Appellant

*Versus*

**Sonu Kumar and others**

...Respondents

**CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH**

Present: Mr. Kunal Dawar, Advocate for applicant-appellant.

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**DARSHAN SINGH, J.**

**CM-9179-CII-2016**

There is delay of 73 days in filing the present appeal. The appellant has filed an application under Section 5 of the Limitation Act, 1963 for condonation of delay.

Heard on the application.

In view of the reasons mentioned in the application, same is allowed and the delay of 73 days in filing the present appeal is hereby condoned.

**FAO No.2492 of 2016**

The present appeal has been preferred against the award dated 26.08.2015 passed by learned Motor Accidents Claims Tribunal, Faridabad (hereinafter called the "Tribunal"), vide which the appellant-claimant Rakesh has been awarded compensation to the tune of ₹ 1,15,000/- on account of the injuries suffered by him in this accident.

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

3. Learned counsel for the appellant contended that the compensation awarded by the learned Tribunal is highly inadequate. No compensation has been awarded towards the loss of income and less compensation has been awarded under the other heads.

4. I have duly considered the aforesaid contentions.

5. On a perusal of the copy of the impugned award, it comes out that the claimant has not suffered any permanent displacement due to the injuries suffered by him in this accident. He remained hospitalized only for a period of six days and had suffered the injuries on his head. No medical evidence has been brought on record by the appellant to show that he had to remain confined to the bed and thereafter, was unable to carry on his job. So, there is no material on record to infer any loss of income. The learned Tribunal has awarded ₹ 95,000/- for medical and treatment charges, ₹ 5000/- for transportation charges, ₹ 5000/- for attendant charges, ₹ 5000/- for special diet and ₹ 5000/- for pain and suffering. So, the learned Tribunal has awarded adequate compensation under all the heads. Thus, the amount of compensation awarded by the learned Tribunal is just.

6. In view of aforesaid discussion, the present appeal has not merits and the same is hereby dismissed.

**10.08.2016**

*sunil yadav*

**( DARSHAN SINGH )**  
**JUDGE**

**Whether speaking/reasoned : Yes/No**

**Whether Reportable : Yes/No**