

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

**F.A.O No. 5156 of 2014(O&M)
Date of decision :18.01.2016**

Kuldeep Singh

..... Appellant

Versus

Manmohan Singh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.G.S.Nagra, Advocate
for the appellant.

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

DARSHAN SINGH,J

The present first appeal has been preferred against the award dated 29.11.2013 passed by the learned Motor Accident Claims Tribunal (for short 'Tribunal'), Roopnagar.

2. The appellant/claimant has filed the claim petition under Section 166 of the Motor Vehicle Act, 1988 for grant of compensation to the tune of Rs. 20 lacs along with interest at the rate of Rs.18 % per annum on account of the injuries suffered by him in the motor vehicular accident, which took place on 04.10.2011 due to rash and negligent

driving of Maruti Car No. HP-03-C-1921 by respondent no.1.

3. Learned Tribunal has awarded the compensation to the tune of Rs. 90,000/- along with interest at the rate of 6% per annum.

4. Dissatisfied with the quantum of compensation awarded by the Tribunal, the claimant has preferred the present appeal.

5. Learned counsel for the claimant contended that the learned Tribunal has not awarded any amount towards the transportation, though, the injured has to be brought to P.G.I for treatment. He also pleaded that the Tribunal has also not awarded any compensation on account of the loss of income.

6. I have duly considered the aforesaid contentions.

7. Learned Tribunal has awarded the sum of Rs.20,000/- towards special diet. That seems to be on higher side. This fact is not disputed that earlier the claimant was taken to Civil Hospital, Kurali and then, to P.G.I, Chandigarh. Certainly, some amount might have been spent on transportation. But, as mentioned above, the learned Tribunal has awarded amount of Rs. 20,000/- towards special diet, which shall also be deemed to include the conveyance/transportation charges.

8. In order to claim the compensation for loss of income, the claimant was required to show his income and profession. From the impugned award, it appears that the claimant has not adduced any evidence to show his profession and income. Thus, he will not be entitled for any compensation on account of the loss of income during the period he remained under treatment.

9. Consequently, no ground is made out for enhancement of the

compensation as awarded by the learned Tribunal.

10. Resultantly, the present appeal being without any merit is hereby dismissed in *limine* with no orders as to costs.

January 18, 2016

s.khan

**(DARSHAN SINGH)
JUDGE**