

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

**FAO No.4316 of 2015
Date of decision : 11.02.2016**

Jagroop Singh

.....Appellant

Versus

Ram Kumar and others

...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. Sandeep Chopra, Advocate for appellant.

DARSHAN SINGH, J.

The present appeal has been preferred by appellant-claimant Jagroop Singh against the award dated 23.03.2015, passed by the learned Motor Accidents Claims Tribunal, Hoshiarpur (hereinafter called the 'Tribunal') vide which the appellant-claimant has been awarded compensation to the tune of Rs.20,33,182/- along with interest @ 9% per annum from the date of filing the claim petition till actual realization on account of the injuries suffered by him in this accident.

2. The present appeal has been preferred only for enhancement of the amount of the compensation.

3. Learned counsel for the claimant contended that the learned tribunal has not awarded just and appropriate compensation. He contended that the learned Tribunal was required to award the compensation towards loss of expectation of life which has not been awarded. Even the attendant charges are less. To support his contentions he relied upon case *Kavita Vs. Deepak and others 2012(4) RCR (Civil) 273*.

4. I have duly considered the aforesaid contentions.

5. I do not find any substance in the contentions raised by learned counsel for the appellant. The learned Tribunal has awarded the compensation to the claimants under all the heads as per the law laid down by the Hon’ble Apex Court in case *Kavita Vs. Deepak and others* (supra). The computation table of compensation by the learned Tribunal is reproduced as under:-

Sr. No.	Head	Calculation	Amount
1.	Medical charges	-	2,53,282/-
2.	Attendant charges	2000 x 12 x 18	4,32,000/-
3.	Future medical expenses	2500 x 12 x 10	3,00,000/-
4.	Loss of earning	22500 x 18 x 80/100	3,24,000/-
5.	80% disability	80 x 2000	1,60,000
6.	Pain and suffering	-	2,50,000/-
7.	Loss of amenities and loss of marriage prospects	-	3,00,000/-
8.	Transportation charges	-	13,900/-
Total			20,33,182/-

6. The aforesaid table depicts that the claimant has been awarded the attendant charges @ 2000/- per month for 18 years. He has

also been awarded the compensation for the loss of amenities and loss of marriage prospects to the tune of Rs.3,00,000/-. The learned Tribunal has separately awarded the compensation to the tune of Rs.3,24,000/- on account of loss of earnings and Rs.1,60,000/- towards disability.

7. In case ***Kavita Vs. Deepak and others*** (supra) the loss of amenities and loss of expectation of life is one head. In the instant case, the learned Tribunal has awarded the compensation to the claimant on account of loss of amenity and loss of marriage prospects which will cover the compensation for loss of enjoyment of life and loss of expectation of life.

8. Total Rs.20,33,182/- has been awarded by the learned Tribunal as compensation to the claimant taking into consideration all the heads separately. So, there is no legal infirmity in the impugned award. The amount of compensation awarded by the learned Tribunal is fair, just and appropriate. No further enhancement of compensation will be justified. Thus, the present appeal has no merits and the same is hereby dismissed.

11.02.2016

sunil yadav

**(DARSHAN SINGH)
JUDGE**