

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

CM No.14555 CII of 2015 in/and

FAO No. 4613 of 2015 (O&M)

Date of Decision: August 08, 2016.

Amit

....Appellant

Versus

Kaptan and others

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Saurabh Dalal, Advocate
for the applicant/appellant.

Mr.B.S.Taunque, Advocate
for respondent No.3.

Rajan Gupta, J (Oral)

CM No.14555 CII of 2015

This is an application for condonation of delay of 566 days in refiling the appeal. For the reasons stated in the application, same is allowed. Delay of 566 days in refiling the appeal is condoned.

CM No.14556 CII of 2015

This is an application for condonation of delay of 17 days in filing the appeal. For the reasons stated in the application, same is allowed. Delay of 17 days in filing the appeal is condoned.

FAO No. 4613 of 2015

Accident took place on 15.3.2011. Appellant was proceeding on a motor-cycle from village Kabulpur, District Rohtak to Gohana alongwith his wife and daughter. At about 3.30 pm, a truck came from the back side and hit the motorcycle. Appellant fell down and sustained

injuries. He later on filed the instant petition under Section 166 of the Motor Vehicle Act claiming 20 lacs as compensation. After considering all aspects of the matter, tribunal came to the conclusion that appellant had suffered temporary disability. It has been urged before this court that due to fracture in the leg apart from treatment, appellant had to undergo physiotherapy by an expert in the field. However, sufficient amount has not been granted on this account. I find substance in the plea. Another amount of Rs.20,000/- shall be payable to the appellant for undergoing treatment/physiotherapy.

Appeal is allowed in these terms.

(Rajan Gupta)
Judge

August 08, 2016.

BB

Whether speaking/reasoned Yes/No

Whether reportable: **Yes/No**