

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

**FAO No.507 of 2015
Date of decision : 23.02.2016**

Amar Singh

.....Appellant

Versus

Prakash 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. Divay Sarup, Advocate for appellant.

DARSHAN SINGH, J.

The present appeal has been preferred against the award dated 30.07.2014 passed by learned Motor Accidents Claims Tribunal, Hisar (hereinafter called the Tribunal), vide which appellant-claimant Amar Singh has been awarded a sum of Rs.2,60,000/- as compensation on account of death of four buffaloes and injury to one buffalo belonging to appellant Amar Singh in the motor vehicle accident which took place on 21.10.2013.

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 learned Tribunal has granted inadequate compensation on account of death of four buffaloes in the accident. He contended that the buffalo were of Murrah breed. The value of the buffaloes was Rs.2,00,000/- each. So, the total amount of compensation awarded by the learned Tribunal *i.e.* Rs.2,60,000/- for all the four buffaloes is highly inadequate.

4. I have duly considered the aforesaid contentions raised by learned counsel for the appellant and the same are without any substance.

5. The claimant has examined PW2 Dr. Sanjay Kumar, Veterinary Surgeon, who has conducted the postmortem examination on the dead-bodies of the buffaloes and proved the copy of postmortem reports Ex.P1 to Ex.P4. He has also assessed the value of the buffaloes. He has mentioned the approximate value of the four buffaloes in the postmortem report Ex.P1 to Ex.P4 as Rs.75,000/-, Rs.60,000/-, Rs.65,000/- and Rs.60,000/- respectively. The learned Tribunal has accepted the said value assessed by the Veterinary Surgeon.

6. Learned counsel for the appellant has not been able to point out any material to assail the aforesaid value assessed by the Veterinary Surgeon. The Veterinary Surgeon is an expert in order to assess the value of the cattle. So, no fault can be found with the value of buffaloes, assessed by PW2 Dr. Sanjay Kumar, Veterinary Surgeon. The learned Tribunal has rightly awarded the compensation keeping in view the value of the buffaloes assessed by PW2 Dr.Sanjay Kumar, the Veterinary Surgeon. Thus, the amount of the compensation determined by the learned Tribunal is just and appropriate.

7. Consequently the present appeal has no merits and the same is hereby dismissed.

23.02.2016

sunil yadav

**(DARSHAN SINGH)
JUDGE**