

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

FAO No.6404 of 2015 (O&M)

Date of decision : 23.08.2016

Navroopam Sahni

.....Appellant

Versus

Suman alias Baldev Kumar and others

...Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Swaran Singh, Senior Advocate with
Mr. N.S. Rapri, Advocate for appellant.

DARSHAN SINGH, J.

CM-20096-CII-2015

There is delay of 55 days in filing the present appeal. The appellant has filed an application under Section 5 of the Limitation Act for condonation of delay.

Heard on the application.

In view of the reasons mentioned in the application, same is allowed and the delay of 55 days in filing the present appeal is hereby condoned.

FAO-6404-2015

The present appeal has been preferred by the appellant-claimant against the award dated 27.03.2015, 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 ₹2,60,575/- as compensation along with interest @ 9% per annum from the date of filing the claim petition till reliasation of the awarded amount, on account of the injuries suffered by him in the motor vehicular accident which took place on 01.05.2011.

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

3. I have heard learned counsel for the appellant and gone through the paper-book carefully.

4. Learned counsel for the appellant-claimant contended that the learned Tribunal has not awarded the just compensation. The claimant was entitled to ₹10,00,000/- as compensation on account of the injuries suffered by him. The medical expenses have not been properly computed by the learned Tribunal. He has suffered the serious injuries. The compensation awarded under the other heads is also inadequate.

5. I have duly considered the aforesaid contentions.

6. The appellant-claimant has been awarded a total sum of ₹2,60,575/- as compensation on account of the injuries suffered by him in this accident. The learned Tribunal while computing the amount of compensation has taken into consideration all the heads separately. It is an admitted fact that the appellant-claimant has not suffered any permanent disablement on account of injuries received in this accident. The learned Tribunal has awarded ₹1,70,573/- on account of medical and treatment charges. The learned Tribunal has categorically mentioned that in some of the bills the amount has been claimed twice. So, by scrutinizing the bills

submitted by the claimant, the Tribunal has rightly assessed the compensation on account of medical and treatment charges.

7. The appellant-claimant has been further awarded ₹10,000/- towards special diet, ₹25,000/- towards pain and suffering. He has also been awarded ₹25,000/- on account of loss of amenities of life and ₹25,000/- towards future medical expenses. He has also been awarded ₹5000/- towards attendant charges. So, the compensation awarded by the learned Tribunal to the claimant under all the heads is just and appropriate.

8. Consequently, the impugned award does not call for any interference. Therefore, the appeal filed by the appellant-claimant being without any merit, is hereby dismissed.

23.08.2016

sunil yadav

**(DARSHAN SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No