

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

(1)

FAO No.9980 of 2014 (O&M)

Date of decision : 01.03.2016

Rajat (minor) through his mother Smt. Renu Bala

.....Appellant

Versus

Sumit Kumar and others

...Respondents

(2)

FAO No.10164 of 2014 (O&M)

Date of decision : 01.03.2016

Smt. Renu Bala

.....Appellant

Versus

Sumit 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. Kulwant Singh Dhanora, Advocate for appellant.

DARSHAN SINGH, J.

CM-27557-CII-2014

There is delay of 62 days in filing the present appeal. The appellants have 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 delay in filing the appeal stands condoned.

FAOs No.9980 & 10164 of 2014

This judgment of mine shall dispose of both the appeals mentioned above, which have arisen out of the same award dated 22.04.2014 passed by learned Motor Accidents Claims Tribunal, Kurukshetra (hereinafter called the 'Tribunal'), vide which Rajat the appellant in FAO No.9980 of 2014 has been awarded the compensation to the tune of Rs.85,900/- and Smt. Renu Bala, the appellant of FAO No.10164 of 2014 has been awarded the compensation to the tune of Rs.66,900/- on account of the injuries suffered by them in the motor vehicular accident, which took place on 29.05.2013.

2. Learned counsel for the appellants-claimants contended that the claimants have suffered serious injuries in the present accident but the learned Tribunal has awarded very less amount of compensation. It was the duty of the learned Tribunal to award just compensation to the claimant being the victim of the accident.

3. I have duly considered the aforesaid contentions. But I do not find any substance in the contentions raised by learned counsel for the

appellants.

4. Firstly, I take up the case of Rajat, the appellant in FAO No.9980 of 2014. He has been awarded compensation to the tune of Rs.85,900/-. He has got fracture of both bone of left leg but there is no evidence on record to establish that he has suffered any disability on account of the injuries suffered by him. The learned Tribunal has awarded the compensation under all the heads. The claimant has been awarded Rs.35,900/- towards the medical expenses, Rs.25,000/- towards loss of amenities, Rs.10,000/- towards pain and suffering, Rs.5000/- towards attendant charges, Rs.5000/- towards special diet and Rs.5000/- towards transportation expenses. Thus, the learned Tribunal has awarded just compensation to appellant-claimant Rajat for the injuries suffered by him in this accident.

5. Smt. Renu Bala appellant of FAO No.10164 of 2014 has been awarded a sum of Rs.66,900/- as compensation on account of the injuries suffered by her. She has also been awarded just compensation under all the heads by the learned Tribunal. Smt. Renu Bala has suffered the fracture left fibula. She has been awarded a sum of Rs.16,900/- towards medical expenses on the basis of bill Ex.P3. She was further awarded a sum of Rs.25,000/- towards loss of amenities, Rs.10,000/- towards pain and suffering, Rs.5000/- towards attendant charges, Rs.5000/- towards special diet and Rs.5000/- towards transportation expenses. Thus, the learned Tribunal has suitably awarded the compensation to the appellants under all the heads.

6. In view of my aforesaid discussion, as the learned Tribunal

has awarded the just compensation to both the appellants, so there is no scope of any further enhancement.

7. Consequently, both these appeals are without merits and same are hereby dismissed.

01.03.2016

sunil yadav

**(DARSHAN SINGH)
JUDGE**