

FAO No. 7604 of 2016

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In the High Court of Punjab and Haryana at Chandigarh

FAO No. 7604 of 2016(O&M)

Date of Decision: 20.12.2016

Reliance General Insurance Company Limited

---Appellant

versus

Vanita Rani and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Subhash Goyal, Advocate
for the appellant**

Rekha Mittal, J.

The present appeal directs challenge against award dated 17.8.2016 passed by the Motor Accidents Claims Tribunal, Chandigarh (in short “the Tribunal”) whereby compensation to the tune of Rs. 8,86,316/- has been awarded under the following heads:-

1. Compensation for permanent disability -Rs. 7,95,600/-
2. Compensation for enagaging an attendant-Rs. 10,000/-

3. Compensation for special diet- Rs. 10,000/-
4. Pain and suffering and loss of enjoyment-Rs. 10,000/-
5. Medical bills and transportation bills Rs. 60,716/-

The sole submission made by counsel for the appellant is that the Tribunal has awarded an amount of Rs. 7,95,600/- towards permanent disability to the extent of 26% by taking into account income of the victim at Rs. 10,000/- per month, added 50% increase for future prospects. It is further argued that as per plea of the claimant, she was undergoing training for Red Hat from Jetking. Sector-34, Chandigarh and had obtained a certificate of Master degree in Computer Applications, therefore, job of the victim would be desk job and disability of the lower limb may not cause any loss of income.

I have heard counsel for the appellant, perused the paper book particularly the award passed by the Tribunal.

There is no denial that as per medical evidence, the injured-victim has suffered disability to the extent of 26% which is permanent in nature. The victim is a young girl and she appears to be unmarried. The Tribunal has not awarded any compensation for loss of amenities of life and serious affect on her matrimonial prospects. Even the

compensation awarded for pain and suffering is on lower side. Taking into consideration the extent of disability suffered by the victim coupled with the discussion made hereinbefore, I do not find any justification to interfere in assessment made by the Tribunal.

Dismissed in limine.

(Rekha Mittal)
Judge

20.12.2016

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No