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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision: 21st October, 2016

+ **MAC. APP. 398/2013**

UTTAR PRADESH STATE ROAD
TRANSPORT CORP.

..... Petitioner

Through: Ms. Garima Prashad, Advocate

Versus

DHARA SINGH

..... Respondent

Through: Ms. Raj Kumari and Ms. Prabha
Sharma, Advocates

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

JUDGMENT (ORAL)

1. The appellant has challenged the award of the Claims Tribunal whereby the compensation of Rs.3,70,000/- has been awarded to the respondent.

2. The accident dated 06th September, 2010 resulted in pelvic fracture with perineal wound to the respondent who underwent four surgeries. The injuries suffered by the respondent resulted in 26% disability relating to the left hip as per the disability certificate Ex.C-1. The Claims Tribunal awarded Rs.3,000/- towards medical treatment, Rs.10,000/- towards conveyance, Rs.20,000/- towards special diet and attendant charges, Rs.1,50,000/- towards pain and sufferings and loss of amenities of life and Rs.1,94,000/- towards loss of income and future earnings due to disability.

3. Learned counsel for the appellant submits that the amount awarded to the respondent is on a higher side which warrants reduction. Learned counsel for the appellant further submits that the

minimum wages of Uttar Pradesh should be taken into consideration.

4. The respondent is present in Court and his injuries have been seen. This Court is of the view that the compensation awarded to the respondent is just, fair and reasonable and it does not warrant any reduction.

5. The appeal is dismissed. The appellant has deposited the entire award amount with Claims Tribunal in terms of the order dated 06th May, 2013 out of which 50% amount has already been released to the respondent. The Claims Tribunal is directed to release Rs.50,000/- to the respondent by transferring the said amount to his individual savings bank account. The balance amount be kept in five FDRs of equal amount for the period of 1 year, 2 years, 3 years, 4 years and 5 years.

6. The monthly interest on the FDRs of respondent shall be credited in his individual savings bank account.

7. At the time of maturity, the fixed deposit amount shall be automatically credited in the individual savings bank account of respondent.

8. All the original FDRs shall be retained by UCO Bank, Delhi High Court Branch. However, the photocopies of the same shall be provided to the respondent.

9. No cheque book or debit card be issued to the respondent without permission of this Court.

10. No loan or advance or pre-mature discharge shall be permitted without the permission of this Court.

11. The Claims Tribunal shall ensure that the savings bank account of respondent is an individual account and not joint account.

12. Copy of this judgment be given *dasti* to learned counsels for the parties under signature of Court Master.

OCTOBER 21, 2016
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J.R. MIDHA, J.

