

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

FAO No.3190 of 2003 (O&M)
Date of decision: April 19, 2017

Sarla Garg ...Appellant

Versus

Tota Ram and others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Aman Bansal, Advocate for the appellant.
Mrs. Shamsheer Kaur, Advocate for Oriental Insurance Co.

Rajan Gupta, J. (oral)

Present appeal has been preferred by the appellant dissatisfied with the compensation granted by the tribunal.

Learned counsel for the appellant submits that tribunal has erred in not granting adequate compensation under usual heads like pain and suffering, attendant etc.

Learned counsel for the insurance company submits that adequate compensation has been awarded for the injuries suffered by the appellant.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

It appears, accident took place on 7.8.2000, in which appellant suffered injuries. Admittedly, accident was caused due to rash and negligent driving of respondent No.1, driver of the offending vehicle i.e. Truck No.RJ-02-G-2933. The tribunal granted Rs.1,46,390/- on account of her

medical treatment and Rs.64,000/- for future treatment. A total compensation of Rs.2.00 lacs has been granted to the appellant. In my considered view, the appellant would also entitled to another sum of Rs.25,000/- on account pain and suffering, attendant etc. The appellant would also be entitled to interest as awarded by the tribunal. Appeal is allowed in these terms. Award of the tribunal is modified to this extent. Rest of the award is maintained as such.

April 19, 2017
'Rajpal'

(RAJAN GUPTA)
JUDGE

Whether speaking / reasoned	Yes / No
Whether Reportable:	Yes / No