

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

FAO No.4974 of 2005

Date of Decision: 04.07.2017

Vikas Chopra

.....Appellant

Versus

Rajesh Kumar and others

... Respondents

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Varun Issar, Advocate
for the appellant.

Mr. Assem Aggarwal, Advocate
for respondents No.3 and 5.

RAJ MOHAN SINGH, J.(ORAL)

The primary grievance of the appellant is that though medical bills/receipts Ex.PE to Ex.PZ and PZ/1 to Ex.PZ/3 were allowed to be exhibited on record, but the Motor Accident Claims Tribunal did not advert to the aforesaid documents while computing compensation in favour of the injured appellant.

Learned counsel for the appellant submits that in view of deposition made by the claimant himself he has proved that the appellant was treated in Government Medical Hospital and College, Sector-32 Chandigarh and then in Silver Oaks Hospital, Mohali and he was only discharged from the Hospital on 21.08.2000. Discharge summary of the Hospital was proved as Exs.P2 and P3. The appellant had suffered fractures of 2 broken bones on right leg and remained confined in Hospital

from 18.08.2000 to 25.08.2000 and thereafter from 26.08.2000 to 07.12.2000 and he had spent about Rs.50,000/- on his treatment. Dr. Sanjay Saluja has been examined by the appellant in the context of expenditure incurred by him. Aforesaid Doctor has deposed that the appellant might have spent around Rs.40,000/- on his treatment.

Though no original records of bills and receipts have been produced on record, but the photocopies of the aforesaid documents were got exhibited without there being any objection by the Insurance Company, therefore, I deem it appropriate to believe the statement of Dr. Sanjay Saluja in conjunction with the plea taken by the appellant that the appellant had incurred an amount of Rs.50,000/- on his treatment.

Though there was reimbursement of some amount by the employer, however, taking into consideration the totality of facts and circumstances of the case, particularly in view of the fact that the photocopies of the documents were duly exhibited and the statement of Dr. Sanjay Saluja has gone unrebutted at the instance of Insurance Company, I award an additional amount of Rs.50,000/- towards medical expenses incurred by the appellant. Let additional amount of Rs.50,000/- be deposited by the Insurance Company within a period of 2 months from today, failing which, there shall be interest of 7.5% on the

aforesaid amount till final realisation of the amount.

With the aforesaid modification, the appeal stands allowed.

04.07.2017
prince

(RAJ MOHAN SINGH)
JUDGE

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