

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

FAO No. 1312 of 2007 (O&M)

Date of decision : 15.02.2017

Sanjeev Vats

....Appellant

V/s

Narender Singh & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Harish Nain, Advocate for the appellant.

Mr. Baljinder Singh, Advocate for
Mr. Ashish Gupta, Advocate for respondent no. 2.

Mr. Rajneesh Malhotra, Advocate for respondent no. 3.

RAJAN GUPTA J.

Present appeal has been preferred by injured-Sanjeev Vats dissatisfied with the compensation granted by the tribunal on account of injuries suffered by him.

Learned counsel for the appellant has contended that compensation awarded by the tribunal is on the lower side. Income of the appellant has not been correctly assessed. Thus, same needs to be enhanced.

Learned counsel appearing for respondents, however, submit that compensation has been correctly assessed by the tribunal. Thus, there is no scope for enhancement of compensation granted by the tribunal.

I have heard learned counsel for the parties.

It appears that an accident occurred on 30.12.2001. Claimant Sanjeev Vats was going by car on Najafgarh-Chhawla road. At about 10:40 p.m. a half body truck came from opposite direction being driven rashly by

driver Narender Singh struck in the car of appellant. As a result of the

impact, appellant suffered serious injuries in the accident and preferred a claim petition. Tribunal came to the conclusion that offending vehicle was being driven in a rash and negligent manner. It, thus, awarded compensation of ₹27,152/- towards medical expenses incurred by appellant. In addition ₹20,000 was granted for pain & sufferings, transportation, special diet, attendant charges and ₹50,000/- for loss of earning capacity. Another sum of ₹25,000/- was granted for loss of income. Total compensation was worked out as ₹1,22,152/-. In my considered view adequate compensation has been granted to appellant. There is no scope for interference in the award of tribunal. Appeal is without any merit and is dismissed.

February 15, 2017

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No