

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

FAO No.1588 of 2011

Date of decision: January 23, 2017

Balbir Singh

... Appellant

Versus

Roop Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Ms. Ekta Thakur, Advocate for the appellant.

Mr. Sandeep Suri, Advocate for respondent No.3.

Rajan Gupta, J.

Appellant/claimant has challenged the findings of the tribunal on the limited question of computation of compensation.

Learned counsel for the appellant has submitted that tribunal has erred in not granting adequate compensation under usual heads like pain and suffering, special diet, medicines etc. He, thus, submits that reasonable amount may be granted to the appellant under various heads separately.

Learned counsel for the respondent No.3 insurance company has submitted that adequate compensation has been awarded on account of 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 that accident took place on 3.4.2006, wherein

appellant suffered injuries on various parts of his body. Admittedly, accident took place due to rash and negligent driving of respondent No.1 driver of the offending car. Appellant suffered multiple injuries including fracture in his right leg. He suffered 14% permanent disability in respect of limbs as per disability certificate Ex.P-12. The tribunal keeping in view medicine bills, granted Rs.42,000/- for medication and treatment and Rs.28,000/- for loss of future earning. It also awarded Rs.50,000/- for pain and suffering and a total compensation of Rs.1,20,000/- has been awarded to the appellant. He has also been granted interest @ 7.50% per annum from the date of filing of petition till realization. I am of the considered view that there is no error in the impugned award. Recovery rights of the insurance company shall remain intact. Thus, no interference in the appellate jurisdiction of this court is called for.

Dismissed.

(RAJAN GUPTA)
JUDGE

January 23, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No