

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

FAO No.871 of 2010 (O&M).

Decided on:-March 28, 2017.

Santra.

.....Appellant.

Versus

Karan Singh and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. S.S. Khurana, Advocate
for the appellant.

Mr. Abhishek Yadav, Advocate
for respondents No.1 and 2.

Ms. Vanadana Malhotra, Advocate and
Ms. Monika Jangra, Advocate
for respondent No.3-insurance company.

HARI PAL VERMA, J. (ORAL)

Appellant-claimant Santra widow of Jai Singh, who died in a motor vehicular accident took place on 24.09.2008, has filed the present appeal against the award dated 05.09.2009 passed by learned Motor Accidents Claims Tribunal, Rewari (hereinafter called as the Tribunal) for enhancement of compensation.

Learned counsel for the appellant has argued that the impugned award dated 05.09.2009 requires modification to the extent that the total bills of medical expenses have not been paid. Similarly, the Tribunal has not awarded any compensation on account of attendant. Even the amount

awarded under the heads of loss of consortium and funeral expenses is meager. Therefore, on these counts, the award needs modification.

On the other hand, learned counsel for the respondent No.3- insurance company has submitted that the claimant has been awarded the medical bills as paid by her vide two different cash receipts bearing No.73580 dated 24.09.2008 for Rs.5,950/- and bearing No.76566 dated 30.09.2008 for Rs.50,000/-. In this manner, whatsoever the amount for medical reimbursement, which the claimant has been able to produce before the Tribunal, has been given to her.

Learned counsel for the respondent No.3 has further stated that the claimant has also been paid a sum of Rs.5,000/- each on account of loss of consortium and funeral expenses.

I have heard learned counsel for the parties.

So far as the argument raised by learned counsel for the appellant that the total amount of bills of the medical expenses has not been paid to the appellant-claimant is concerned, the same cannot be accepted as vide two receipts, as mentioned above, the claimant has paid the amount of Rs.55,950/- and this amount has duly been disbursed to the claimant, as find mention in the award dated 05.09.2009 passed by the Tribunal.

However, the amount granted under the heads of loss of consortium and funeral expenses certainly needs modification/enhancement.

Therefore, the amount of Rs.5,000/- awarded by the Tribunal under the head of loss of consortium is increased to Rs.50,000/-, whereas the amount of Rs.5,000/- granted under the head of funeral expenses is also

increased to Rs.10,000/-.

Accordingly, the present appeal is disposed of with the aforesaid enhancement in the impugned award dated 05.09.2009 passed by the Tribunal.

March 28, 2017

Yag Dutt

(HARI PAL VERMA)

JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No