

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

FAO-134-2012 (O&M)
Date of decision: 17.11.2017

MANJEET

...Applicant-Appellant

Versus

MONU AND ORS

...Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Sajjan Singh, Advocate
for the applicant-appellant.

Mr. Kulwinder Singh, Advocate for
Mr. Sanjeev Goyal, Advocate
for the insurance company.

REKHA MITTAL, J. (Oral)

CM No.5229-CII of 2017

Notice of the application to counsel for the non-
applicant/insurance company.

Mr. Kulwinder Singh, Advocate for Mr. Sanjeev Goyal,
Advocate accepts notice on behalf of the insurance company.

Heard.

Allowed as prayed for. Annexure A1 (disability certificate) is
taken on record.

Main Case

The injured appellant is in appeal seeking enhancement of
compensation in respect of injuries sustained by him in a motor vehicular

accident that took place on 01.01.2010.

The Tribunal has awarded compensation to the tune of Rs.3,02,100/-, detailed hereunder:-

1.	Medical expenses	Rs.2,82,100/-
2.	Pain and suffering and special diet	Rs.15,000/-
3.	Attendant and transportation	Rs.5,000/-

The Tribunal has noticed that the injured remained admitted in Jaipur Golden Hospital, Delhi from 01.01.2010 to 05.01.2010, Satnam Hospital, Delhi from 05.01.2010 to 16.01.2010 and got treatment from Saroj Hospital & Charitable Institute from 15.12.2010 to 18.12.2010. The medical expenses supported by bills and vouchers have been reimbursed by allowing compensation to the extent of Rs.2,82,100/-. Accordingly, compensation awarded by the Tribunal for medical expenses is affirmed.

The injured suffered fracture right tibia with compound fracture of right hand little finger. Taking into consideration nature of injuries sustained and period of treatment as an indoor patient, compensation awarded by the Tribunal qua pain and sufferings and special diet is enhanced to Rs.20,000/- (additional amount Rs.5,000/-). The compensation for attendant and transportation is assessed at Rs.10,000/- (additional amount Rs.5,000/-).

The claimant appeared in the witness box and deposed that he lost one year of studies due to accident. There is no challenge to his testimony in this regard. He is awarded an amount of Rs.10,000/- for loss of one year of his career in education.

The claimant has produced disability certificate with regard to 10% disability, temporary in nature and likely to improve. The claimant did not get his disability re-assessed since 2011. Under the circumstances, he is awarded an amount of Rs.5,000/- with regard to temporary disability.

The additional amount of Rs.25,000/- shall be payable with interest @ 7.5% per annum from the date of petition till realization.

The appeal is partly allowed in the aforesaid terms.

17.11.2017

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No