

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

FAO No.6504 of 2011

Date of Decision.29.09.2017

Ashok Kumar son of Sh. Ram Singh

.....Appellant

Vs

Jaswinder Singh and others

.....Respondents

Present: Ms. Meenakshi Poswal, Advocate for
Mr. R.S. Mamli, Advocate
for the appellant.

Mr. Rajbir Singh, Advocate
for respondent No.3.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J.(ORAL)

The appellant aged 25 years is in appeal against the award passed by the Tribunal whereby a sum of ₹80,800/- has been granted as compensation for injuries suffered by him in a motor accident occurred on 24.5.2009 under the following heads:-

<i>“Medical Treatment</i>	=	₹32,785/-
<i>Loss of income</i>	=	₹8,000/-
<i>Permanent disability @10%</i>	=	₹20,000/-
<i>Special diet</i>	=	₹5,000/-
<i>Attendant charges and transportation</i>	=	₹5,000/-
<i>Pain and suffering & loss of amenities</i>	=	₹10,000/-
<i>Total</i>	=	₹80,800/-”

Learned counsel appearing on behalf of the appellant submits that despite 10% permanent disability and hospitalization of two months, the aforementioned amount of compensation is too paltry and is liable to be

enhanced under different heads, thus, urges this Court for modification of

the award.

On the contrary, learned counsel appearing on behalf of respondent No.3 submits that there is no scope for enhancement of compensation as all the heads have been appropriately taken care of. The Tribunal has provided ₹8000/- for loss of income for two months' hospitalization i.e. ₹4000/- per month, thus, urges this Court for dismissal of the appeal by upholding the award.

I have heard learned counsel for the parties and appraised the paper book. The compensation awarded under various heads as noticed above is perfectly legal and justified. The amount of ₹5,000/- towards special diet, ₹5000/- for attendant charges and ₹10,000/- for pain and suffering have been correctly assessed as no further evidence has been brought on record that restricted movement of ankle will continue forever on account of fracture. In the absence of same, the compensation of ₹80,800/- is perfectly legal and justified and cannot be faulted with. No ground for interference is made out. The appeal stands dismissed.

(AMIT RAWAL)
JUDGE

September 29, 2017

Pankaj*

Whether reasoned/speaking Yes

Whether reportable No