

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

FAO No.10090 of 2014 (O&M)

Date of decision: 08.12.2017

BAL KISHAN

...Appellant

Versus

ANIL KUMAR AND ORS

...Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Sandeep Kotla, Advocate for the appellant.

REKHA MITTAL, J. (Oral)

CM No.27866-CII of 2014

Heard.

For the reasons stated in the application supported by affidavit of the appellant, same is allowed. Delay of 13 days in filing the appeal is condoned.

Main Case

The injured claimant is in appeal seeking enhancement of compensation in respect of injuries sustained in a motor vehicular accident that took place on 11.12.2012.

The Tribunal has awarded compensation to the tune of Rs.1,10,779/- extracted in a tabulated form, quoted thus:-

1. Loss of income	Rs.5000/-
2. Medical expenses including medicines, hospital charges,	Rs.68,779/-

attendant charges, special diet and
future medical expenses

3. Transport Rs.2000/-

4. Pain and sufferings Rs.35,000/-

Counsel for the appellant has submitted that compensation awarded by the Tribunal qua loss of income and expenses on transportation is on lower side and needs enhancement.

I have heard counsel for the appellant, perused the paper book particularly the award.

The injured remained hospitalized for a period of 11 days i.e. 12.12.2012 to 22.12.2012. Medical expenses to the tune of Rs.68,779/- have been reimbursed. The Tribunal has allowed an amount of Rs.35,000/- for pain and sufferings. The injured has not suffered any disability due to injuries sustained in the occurrence. He suffered fracture at two places on his hand. Keeping in view the amount awarded for pain and sufferings, no justification is made out for enhancement of compensation on any other count.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine.

08.12.2017

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No