

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

**FAO No.3008 of 2013 (O&M)
Date of Decision: 13.12.2017**

Kailash Devi

...Appellant(s)

Versus

Ranbir Singh and others

...Respondent(s)

CORAM:-HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. J.P. Sharma, Advocate
for the appellant.

None for respondents No.1 to 4.

Mr. Subhash Goyal, Advocate
for respondent No.5-Insurance Company.

ANITA CHAUDHRY, J.

This is the claimants appeal for enhancement.

The claimant had suffered disability of 44% in an accident which occurred on 27.03.2011. The Tribunal noted that the claimant had spent Rs.87,288/- for purchase of medicines and treatment and allowed Rs.1,53,000/- without disclosing the manner or break up.

The record reveals that the claimant was hospitalized in SMS hospital at Jaipur. The claimant is resident of Jhunjhunu, Rajasthan, the accident had taken place in Haryana. The Medical Officer had noted the disability at 44% of the left lower limb.

The claimant could not prove the income, therefore, she was taken to be a housewife and the notional income is taken at Rs.5,000/-. I would take functional disability at 25% and the

compensation for the disability would be Rs.2,40,000/- by applying the multiplier of 16. The following amount are allowed to the claimant:-

1.	Disability	Rs.2,40,000/-
2.	Medical expenses (Actual)	Rs.87,288/-
3.	Pain and suffering	Rs.40,000/-
4.	Special diet	Rs.15,000/-
5.	Transportation	Rs.10,000/-
6.	Physiotherapy (Rs.3000x4)	Rs.12000/-
7.	Attendant (Rs.3000x4)	Rs.12000/-
Total		Rs.4,16,288/-

The Tribunal had allowed Rs.1,53,000/- which would be deducted and the balance amount would be payable with interest @ 6% from the date of filing of appeal.

The appeal is partly allowed.

December 13, 2017
ps-l

(ANITA CHAUDHRY)
JUDGE

Whether Reasoned/Speaking
Whether Reportable

Yes/No
Yes/No