

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

F.A.O No. 4145 of 2014

Date of decision:- 22.11.2017

Rajender Prashad

...Appellant

Versus

Suresh Kumar and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Mukesh Yadav, Advocate, for the appellant

RITU BAHRI J. (Oral)

The present appeal has been preferred by the appellant (owner of the vehicle), seeking modification of the award dated 01.03.2014 passed by the learned Motor Accident Claims Tribunal, Narnaul (for short, 'the Tribunal') to the extent that the appellant be awarded Rs.10 lacs on account of fully damage of his vehicle i.e Mahindra Genio Pick up bearing No. HR-66-A-0635 which was damaged in a motor vehicular accident.

The only argument raised by learned counsel for the appellant is that as per Satyapal Surveyor P.W.6, the loss/damage to the vehicle is to the extent of Rs.5,20,000/- but the learned Tribunal has awarded Rs.4,74,139/-, which is on the lower side.

This argument is liable to be rejected as the learned Tribunal has awarded total Rs.5,04,139/- to the appellant under different head mentioned below:-

Damage Charge	:	Rs.4,74,139/-
Mental Harassment	:	Rs.20,000/-
Hardship due to non-availability of Mahindra Pick up	:	Rs.10,000/-

Further, the surveyor report Ex R1 prepared by United India Insurance Company with which Mahindra and Mahindra Genio Pick Up bearing No. HR-66A-0635 was insured, was not at all been assailed by the appellant and thus he was rightly held to Rs.4,74,139/- on account of damage of his vehicle.

No ground is made out to interfere in the impugned award.

Dismissed.

22.11.2017

G Arora

(RITU BAHRI)

JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No