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FAO No. 4286 of 2014

Joginder

vs.

Dharam Singh and another

Present: Mr. B.K.Bagri, Advocate
for the appellant

Mr. R.C. Kapoor, Advocate &
Mr. Neeraj Khanna, Advocate with
Mr. Yogesh Kharbanda, Assistant Manager for
National Insurance Co. Ltd.
(Hry. Region)

* * * *

A proposal was made for enhancement of compensation by ₹ 55,000/- more, over and above, the amount already awarded by the MACT on 30.10.2017 and the present case is fixed for concurrence of the Insurance Company.

Learned counsel appearing on behalf of the Insurance Company has pointed out that they have not been able to ascertain the kind of fractures the appellant suffered from the impugned Award. Now the summoned record has been perused. The documents placed on the record indicates that the claimant suffered fracture of femur and also lower end of tibia and fibula. Even Dr. Sanjay Aggarwal, who was examined has authenticated that he suffered fracture of shaft femur right, fracture of right ankle for which he was operated upon. A rod was inserted. The doctor's statement also indicate that he had to visit the hospital for follow-up treatment. It not only suffered the working capacity of the appellant but he had also suffered a lot of pain & mental agony. In this context, it is felt that the proposal of ₹ 55,000/- does not need any further change.

Learned counsel/representative of the respondent-Insurance

Company has given concurrence to the proposal and have signed to that effect.

Accordingly, ₹ 55,000/- (Rs. Fifty Five Thousand only) is allowed as further compensation over and above the compensation already awarded by the MACT.

We dispose of this case with a direction to the Insurance Company to deposit a crossed-cheque in the sum of ₹ 55,000/- in the name of appellant-Joginder s/o Sh. Ramphool with the office of the Lok Adalat of the High Court on or before 18.12.2017 failing which the amount will carry 9% interest p.a. from the date of this order till the cheque is deposited with the office of the Lok Adalat. The appellant's counsel/appellant may collect the cheque from the office of the Lok Adalat.

Copy of the order/statement be supplied/sent to the counsel/parties and file be returned to the High Court.

(Arvind Kumar)
President

(Darshan Singh)
Member

13.11.2017
Janki