

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

FAO No.4509 of 2014

Date of decision: May 15, 2017

Tara Singh @ Tara Chand

... Appellant

Versus

Om Parkash & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sanjay Vashisth, Advocate for the appellant.

Mr. Munish Jhanji, Advocate for

Mr. Gitish Bhardwaj, Advocate for respondents No.1 & 2.

Mr. Neeraj Khanna, Advocate for respondent No.3.

Rajan Gupta, J.

Claimant has challenged the findings of the tribunal on the limited question of computation of compensation.

Learned counsel for the appellant submits that tribunal has erred in not granting adequate compensation under usual heads like pain and suffering, loss of income, special diet etc. He, thus, submits that reasonable amount may be granted to the appellant under the aforesaid heads separately.

Learned counsel for the insurance company submits that adequate compensation has been awarded for the injuries suffered by the appellant.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

It appears that accident took place on 9.5.2011, in which

appellant suffered injuries. The tribunal held that accident had taken place on account of rash and negligent driving of the offending vehicle i.e. Tractor No.HR-51AM/7082, driven by respondent No.1. As a result of said accident, appellant suffered injuries on various parts of his body. The tribunal granted compensation to the appellant as under:-

Head		Amount
Medical expenses	:	₹ 3,31,360/-
Pain and suffering	:	₹ 50,000/-
Special diet	:	₹ 10,000/-
Loss of income	:	₹ 25,000/-
Total	:	₹ 4,16,360/-

Appellant has also been granted interest @ 6% per annum from the date of filing of petition till realization. I am of the considered view that there is no error in the impugned award. Thus, no interference in the appellate jurisdiction of this court is called for.

Dismissed.

(RAJAN GUPTA)
JUDGE

May 15, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No