

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

FAO No.5955 of 2013 (O&M)
Date of decision: 29.03.2017

Ankit Mangla

-----Appellant(s)

Vs.

Kapil Hingorani & another

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Ms. Indu Bala, Advocate and
Mr. Aditya Jain, Advocate for the appellant.

Ms. Vandana Malhotra, Advocate
for the respondent no.2.

HARI PAL VERMA, J. (Oral)

Appellant-claimant Ankit Mangla son of Mahesh Mangla, who suffered injuries in a motor vehicular accident, which took place on 23.7.2012, has filed the present appeal against the award dated 3.9.2013 passed by Motor Accidents Claims Tribunal, Gurgaon (hereinafter called as the Tribunal) for enhancement of compensation.

Learned counsel for the appellant has argued that the appellant had suffered multiple head injuries, for which, he was operated upon and he is still undergoing treatment and thereby, huge amount was spent. Therefore, the impugned award needs modification and the compensation granted to the appellant is required to be enhanced, as very meager compensation has been awarded by the learned Tribunal.

On the other hand, learned counsel for the respondent No.2- insurance company has submitted that the claimant has duly been

awarded the compensation as per the medical bills submitted by him and therefore, no enhancement in the amount of compensation is required.

I have heard learned counsel for the parties.

Admittedly, the appellant has suffered multiple head injuries for which he was operated upon and he also remained hospitalized from 23.7.2012 to 10.8.2012. Therefore, considering the nature of injuries suffered by the appellant, this Court finds that the compensation granted to the appellant under the heads 'Physical and mental pains', 'Loss of amenities and loss of expectation of life' and 'Special diet and transportation' deserve to be enhanced.

Accordingly, the award of the Tribunal is modified to the extent that the compensation granted to the appellant under the heads 'Physical and mental pains' and 'Loss of amenities and loss of expectation of life' is increased from Rs.20,000/- each to Rs.50,000/- each. Since the injured-claimant also remained in hospital on account of head injuries for about 17 days, the compensation granted under the head 'Special diet and transportation' also deserves to be enhanced from Rs.10,000/- to Rs.30,000/-.

Thus, the present appeal is disposed of with enhancement of the amount of compensation of Rs.80,000/- over and above the amount granted by the Tribunal vide award dated 3.9.2013.

March 29, 2017
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(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No