

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

FAO-3758-2016 (O&M)
Date of decision: 28.11.2017

Yashveer @ Sonu

.... Appellant

Versus

Satbir Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Naresh Kumar, Advocate for
Mr. R.D.Yadav, Advocate
for the appellant.

Mr. M.B.Jain, Advocate for
Mr. Puneet Jain, Advocate
for respondent No.2-Insurance Company.

Avneesh Jhingan, J.

The present appeal has been filed against the award dated 11.01.2016 passed by Motor Accidents Claims Tribunal, Rewari (hereinafter referred to as the 'Tribunal').

On 17.08.2014, the appellant suffered some injuries in an accident that occurred between motorcycle and bus bearing registration No.HR-55J-5970 (for short, 'the offending vehicle'). As a result of the accident, Hitesh lost his life and the appellant suffered injuries. FIR No.178 dated 17.08.2014 was registered at Police Station Khol.

The claim petition under Section 166 of the Motor Vehicles Act, 1988 (for short, 'the Act') was filed.

The Tribunal, considering the medical bill which were produced as Ex.P2 to Ex.P10, awarded a sum of Rs.29,640/- along with interest @ 6% per annum.

Aggrieved of the said award, the present appeal has been filed for enhancement of compensation.

Learned counsel for the appellant has argued that the appellant suffered injuries and was in hospital for one day. There was medical bills of Rs.9640/-, therefore, the amount awarded is on the lower side.

Learned counsel for Insurance Company defended the award and resisted any enhancement. He argued that no injury has been proved on record. The claimant was discharged from the hospital on the same day and the medical bills which were produced have duly been reimbursed.

After hearing learned counsel for the parties and perusing the paper-book, it is evident that even no iota of evidence has come on record that what type of injury was suffered by the appellant. Rather the discharge slip Ex.P1 is an evidence to the fact that he was discharged from the hospital on the same day. It is an indicator that there was no grievous or serious injury suffered by the appellant. The compensation to be awarded under the Act is to put the sufferer in the same position so far as money can.

In the present case, there is nothing on the record that he has suffered to an extent that there should be enhancement of the amount already awarded.

There is no merit in the present appeal and the same is hereby dismissed.

(AVNEESH JHINGAN)
JUDGE

28.11.2017
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1. Whether the order is speaking/reasoned: Yes/No

2. Whether the order is reportable : Yes/No