

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

FAO-432 of 2016 (O&M)  
Date of decision: 19.12.2017

Ashish

.... Appellant

Versus

Arman Ali and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present : Mr. Vishal Malik, Advocate  
for the appellant.

Mr. Kulwinder Singh, Advocate and  
Mr. Rajbir Singh, Advocate  
for respondent No.3.

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**Avneesh Jhingan, J.**

The present appeal has been filed against the award dated 04.05.2015 passed by Motor Accidents Claims Tribunal, Panipat (hereinafter referred to as the 'Tribunal') in MACT Case No. 337 of 2013.

In a motor vehicular accident that occurred on 06.10.2013, Ashish aged 21 years suffered injuries. He was going on a motorcycle bearing registration No. HR-06W-6378. The said motorcyle was struck by rashly and negligently driven canter bearing registration No. UP-22T-2161. FIR No.771 dated 09.10.2013 was registered at police station Chandni Bagh, Panipat.

In the claim petition filed under Section 166 of the Motor Vehicle Act, 1988(for short 'the Act'), the Tribunal awarded a sum of Rs.61,914/- with interest @ 7.5% per annum.

I have heard learned counsel for the parties, perused the paperbook and the relevant documents produced by them.

Learned counsel for the appellant argued that as a result of the

accident appellant lost his three teeth and he was hospitalized for four days. His contention is that the amount awarded under various heads is on the lower side.

Learned counsel for the Insurance Company defended the award and argued that since there was no permanent or temporary disability and hospitalization was only for four days no further enhancement is called for.

The facts which have not been disputed by the parties are that there was an accident in which a young boy lost his three teeth and was hospitalized for four days. The Tribunal has reimbursed the medical expenses but has not taken into consideration that some artificial teeth etc will be required to be fitted.

In the facts and circumstance of the case Rs.25,000/- is awarded over and above the amount awarded by the Tribunal. It is clarified that the said amount awarded has been arrived at after considering the interest to be awarded under Section 171 of Act. The appeal is partly allowed and is disposed of in the above said terms.

**(AVNEESH JHINGAN)**  
**JUDGE**

**19.12.2017**

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