

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

**FAO No. 6296 of 2016 (O&M)
Date of Decision: August 29, 2017**

Yogesh Mohan Sharma

..Appellant

Versus

Manoj Kumar and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present:- Mr. Puneet Kakkar, Advocate
for the appellant.

REKHA MITTAL, J. (oral)

The injured claimant is in appeal seeking enhancement of compensation on account of injuries sustained by him in a motor vehicular accident that took place on 19.01.2011.

Counsel for the appellant would contend that the Motor Accidents Claims Tribunal, Panipat (hereinafter to be referred as the Tribunal) awarded an amount of Rs.71,529/- under various heads but compensation awarded is on the lower side and needs enhancement. It is further submitted that the Tribunal has not awarded any compensation for loss of income for the period of treatment and recovery.

I have heard counsel for the appellant, perused the paper book particularly the award dated 18.11.2015 but find that the appeal is devoid of merit and deserves to be dismissed.

The Tribunal has awarded compensation to the tune of Rs.71,529/- under following heads:-

Sr. No.	Head of Compensation	Amount
1.	Expenses of medical treatment	Rs.45,529/-
2.	Pain and sufferings	Rs.20,000/-
3.	Transportation charges	Rs.1,500/-
4.	Special diet	Rs.1,500/-
5.	Services of an attendant	Rs.3,000/-
	TOTAL	Rs.71,529/-

As per evidence on record, the claimant remained hospitalized from 19.01.2011 to 22.01.2011. He suffered injuries namely incised wounds over upper eyelid and dorsum of nose and a lacerated wound on lower lip and a fracture which was treated with styloid process and POP cast. He has not suffered any disability as a result of injuries sustained in the accident.

Taking into consideration nature of injuries and period of confinement in the hospital, compensation awarded by the Tribunal for pain and suffering to the tune of Rs.20,000/- would also cover loss of income for the period of treatment and recovery. No justification for increase in compensation under any of the heads is made out and, accordingly, the appeal is dismissed in limine.

(REKHA MITTAL)
JUDGE

August 29, 2017
Sunil

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No