

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

FAO No. 1252 of 2017 (O&M)

Date of Decision: 7.12.2017

Rahul

.....Appellant

Versus

Amit Kumar and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Raman Chawla, Advocate
for the appellant.

Ms. Vandana Malhotra, Advocate
for respondent No.3.

AVNEESH JHINGAN, J.

The present appeal has been filed against the award dated 28.7.2016 passed by the Motor Accidents Claims Tribunal, Hissar, (for short 'the Tribunal').

In a motor vehicular accident that occurred on 17.2.2014 Rahul aged 16 years suffered multiple injuries. The said Accident involved motor cycle bearing registration No. HR-20-T-2563 and tractor bearing registration No.HR-13-B-2339. FIR No.209 dated 18.2.2014 was registered at Police Station Sadar, Hisar. The claim petition under Section 166 of the Motor Vehicles Act, 1988 (for short 'the Act') was filed by the injured. The same was numbered as MACT Case No. 125 and date of institution was 6.8.2014.

The Tribunal after appreciating the facts and considering the evidence, awarded a sum of Rs.3,32,256/- along with interest at the rate of 9% per annum. The present appeal has been filed for enhancement of compensation.

Learned counsel for the appellant argued that the appellant suffered 10% disability. He was hospitalized and underwent long treatment. He has suffered four fractures of right femur and fracture of jaw. His only grievance is that no compensation has been awarded for transportation.

Learned counsel for the Insurance Company defended the award and resisted any further enhancement.

Keeping in view the facts and circumstance of the case, it is deemed appropriate that another sum of Rs.25,000/- is awarded over and above the amount already awarded by the Tribunal. It is clarified that while awarding the lump-sum amount, the interest to be awarded under Section 171 of the Act, has been taken into consideration.

Disposed of accordingly.

7.12.2017
reema

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No