

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

FAO No. 2047 of 2017(O&M)

Date of decision: 29.8.2017

Gurbax Singh

....Appellant

VERSUS

Gurmukh Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Ms. Gurjit Kaur Sandhu, Advocate for the appellant.

REKHA MITTAL, J.(Oral)

The injured/claimant is in appeal seeking enhancement of compensation awarded by the Motor Accidents Claims Tribunal, Kurukshetra (in short 'the Tribunal') in respect of injuries sustained by him in a motor vehicular accident that took place on 30.09.2014.

The Tribunal has awarded an amount of Rs.1,67,584/-, detailed hereunder:-

Reimbursement towards medical expenses	Rs.77,584/- (36900 + 40684)
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Amount towards disability	Rs.10,000/-
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Amount towards extra nourishment etc.	Rs.10,000/-
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Amount towards pain and suffering	Rs.50,000/-
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Amount towards expenses of one attendant	Rs.10,000/-
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Amount towards transport	
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Expenses	Rs.10,000/-
Total	Rs.1,67,584/-

Counsel for the appellant has stated that the Tribunal has not awarded any compensation for loss of income and amenities of life.

I have heard counsel for the appellant, perused the paperbook particularly the award.

A bare reading of para 19 of the award would indicate that the injured remained hospitalized from 30.09.2014 to 06.10.2014 and again from 26.10.2014 to 03.11.2014. The claimant marked as exhibits bills/receipts of the value of Rs.36,900/- qua treatment from Anand Orthopaedic Centre, Kurukshetra. The injured/claimant was aged 54 years at the time of accident. He has been duly compensated for disability to the extent of 5% which shall cure completely with proper physiotherapy. He has been awarded an amount of Rs.50,000/- for pain and suffering and the same would also cover compensation payable for loss of income for the period of treatment. No addition in compensation, in the given circumstances, is justifiable.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine.

AUGUST 29, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no