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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Decided on: 03rd August, 2017

+ **MAC APPEAL 282/2009**

PADMA NARAYANAN

..... Appellant

Through: Ms. Suresh Sharma and Ms. K.
Gayatri, Advocates

versus

NARENDER KUMAR & ORS.

..... Respondents

Through: Ms. Neerja Sachdeva, Adv. for
R-3

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

JUDGMENT (ORAL)

1. The appellant, then aged 40 years old, employed with Syndicate Bank, suffered injuries in a motor vehicular accident that occurred on 25.10.2002 involving negligent driving of a motor vehicle bearing registration no.DL-3CH-5727. She instituted accident claim case (suit no.867/2006) impleading the driver and owner of the said vehicle besides its insurer, they being the respondents in this appeal.

2. After inquiry, the Motor Accident Claims Tribunal (Tribunal) held a case made out for compensation on principle of fault liability and, by judgment dated 20.03.2009, awarded compensation in the sum of Rs.94,677.65, rounded off to Rs.94,680/- directing the insurer to pay.

3. The appeal at hand was filed seeking enhancement of the compensation. It is pressed on the solitary ground that the compensation on account of pain and suffering in the sum of Rs.10,000/- was inadequate. It is pointed out that, per the evidence, as a result of the accident, the claimant had suffered multiple injuries including in her upper and lower limbs, her ear having got torn requiring surgery, she having remained in hospital initially from 25.10.2002 till discharge on 07.11.2002, which was followed by further indoor treatment in another medical institution.

4. Having regard to the prolonged treatment that the appellant had to undergo, compensation on account of pain and suffering at Rs.10,000/- only is found to be inadequate. It is increased to Rs.30,000/-. There would, thus, be net increase of Rs.20,000/- in the award, which shall carry interest as levied by the tribunal.

5. The third respondent / insurance company is directed to satisfy the award by depositing the requisite amount with the tribunal within 30 days, making it available to be released.

6. The appeal is disposed of in above terms.

R.K.GAUBA, J.

AUGUST 03, 2017

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