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

Decided on: 27th September, 2017

+ MAC.APP.851/2010

JASMER KAUR

..... Appellant

Through

versus

JAI SINGH & ORS.

..... Respondents

Through: Mr. Pankaj Seth, Adv. for R-3

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

JUDGMENT (ORAL)

1. The appellant was the claimant before the Motor Accident Claims Tribunal (Tribunal) in accident claim case (suit no.55A/09) instituted on 18.04.2009 on the averments that she had suffered injuries in a motor vehicular accident that had occurred on 03.01.2009 due to the negligent driving of a truck bearing registration no.HP-12A-8635 by the first respondent, the said vehicle being registered in the name of the second respondent and insured against third party risk with the third respondent (insurer).

2. The Tribunal held inquiry and, by judgment dated 12.08.2010, accepted the case for compensation holding the second respondent negligent. The Tribunal awarded compensation in the total sum of Rs.68,110/- in favour of the appellant and directed the third respondent to pay the same with interest. The said amount includes

Rs.14,210/- as medical expenses, Rs.1,200/- as attendant charges, Rs.2,700/- towards travelling expenses and Rs.50,000/- towards pain and suffering.

3. The present appeal was filed expressing grievance that the compensation awarded is inadequate.

4. The appeal was put in the category of 'regulars' to be taken up on its own turn. Thereafter it was taken up in *Lok Adalat* on some dates in an effort to explore the possibility of an amicable settlement but with no result. When it is taken up for hearing, there is no appearance on behalf of the appellant.

5. It is noted that the injury suffered by the appellant was fracture on the lower end of the hand. In the given facts and circumstances, the award of compensation granted by the tribunal is found to be just and fair. There is no case made out for any enhancement.

6. Thus, the appeal is dismissed.

R.K.GAUBA, J.

SEPTEMBER 27, 2017

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