

\$~R-658

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

Decided on: 06th December, 2017

+ **MAC APPEAL 1191/2012**

SAVITA KUMARI

..... Appellant

Through: None

versus

SURESH AND ORS.

..... Respondents

Through: Mr. Pankaj Seth, Advocate for
insurance company

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

JUDGMENT (ORAL)

1. On the accident claim case (petition no.12/2011), instituted on 20.01.2011 by the appellant (claimant), the Motor Accident Claims Tribunal (Tribunal), by its judgment dated 13.07.2012, awarded Rs.1,17,696/- as compensation with interest, the said amount inclusive of Rs.67,140/- towards medical expenditure, Rs.10,556/- for loss of income for two months for the period of treatment besides Rs.25,000/- on account of pain and agony and Rs.15,000/- for diet, attendant and conveyance charges.

2. The appeal at hand seeks enhanced compensation. It was put in the list of 'Regulars' as per order dated 02.02.2016. When it is called out for hearing, there is no appearance on behalf of the claimant.

3. On perusal, it is noted that the injuries suffered included fracture of the left ribs. There is no case made out of any permanent disability having been sustained. The claimant did not lead any clear evidence about the earnings and, therefore, the tribunal assumed the loss of income on the basis of minimum wages. The loss of income for the period of treatment for two months has been correctly computed and there is no justification shown why it should have been for a period of twelve months.

4. Thus, the award granted by the tribunal is found to be just and proper. There is no good reason for any enhancement.

5. The appeal is dismissed.

DECEMBER 06, 2017

yg

R.K.GAUBA, J.

नित्यमेव जयते