

fracture and dislocation of shoulder bone, bandage was applied and his arm remained immobilized for fifteen days.

Counsel representing the insurance company has supported assessment made by the Tribunal with the submission that the claimant failed to adduce cogent and convincing evidence with regard to loss of income on account of sustaining injuries. However, he does not dispute that the claimant is a practising Advocate at Ambala.

The Tribunal, in various paras under issue No. 2, has dealt with materials on record with regard to nature of injuries sustained and claimant having failed to produce any document with regard to expenses on his medical treatment and loss of income. However, counsel for the insurance company has not denied that claimant is a practising Advocate at Ambala. He sustained fracture and dislocation of shoulder bone, bandage was applied and his arm remained immobilized.

Taking into consideration the materials on record, interest of justice would be served, if the claimant is allowed additional amount of Rs.10,000.00 for expenses on transportation, services of an attendant and loss of income, payable with interest at the rate of 7.5% per annum from the date of petition till realization.

The appeal is partly allowed in the aforesaid terms.

(Rekha Mittal)
Judge

30.04.2018
mohan bimbura

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No