

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No.3698 of 2001
Date of Decision: 14.03.2018

Surjit Singh

.....Appellant

Vs.

Joginder Singh and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Sanjiv Gupta, Advocate for the appellant.

Mr.D.P.Gupta, Advocate, for
respondent/Insurance Company.

RITU BAHRI, J. (ORAL)

Present appeal has been preferred by the claimant-appellant (for short 'the appellant'), against award dated 08.01.2001, passed by the learned Motor Accident Claims Tribunal, Kaithal (for short, 'the Tribunal') vide which compensation to the tune of Rs.15000/- was awarded to the claimant on account of injury suffered by him.

FACTS NOT IN DISPUTE

On the night intervening 8/9.03.1999 Parvinder Singh alongwith his mother and other relatives started their journey from District Lakhimpur for their village Kallar Majra in a Jeep bearing Registration No.HR-09-8651, Make Mohindera, being driven by Joginder Singh, respondent No.1. When they reached near Namaste Chowk, G.T.Road, Kaithal, at about 1:00 am, the Jeep struck against a tree as the same being driven by Joginder Singh-Respondent in a very rash and negligent. Hence, all the persons travelling in the Jeep sustained injuries. All the injured were first removed to General Hospital,Kaithal. However, Gurnam Singh, Changa Ram and Partap Kaur were shifted to PGI Chandigarh. On 14.03.1999 Partap Kaur and Changa Ram succumbed to the injuries. In support of the their case, claimants

COMPENSATION ASSESSED BY MACT

Surjit Singh had sustained fracture of his left arm and hip bone, besides injuries on other parts of body and that he remained admitted in Jindal Hospital, Kaithal for one month and that however, his treatment continued for seven months and it was stated that he had spent about Rs.50,000/- on his treatment. A perusal of the medico legal report shown that he sustained as many as five injuries. Medical bill Ex.P-6 was with regard to payment of Rs.11,880/- in Jindal Hospital which shows that two operations were performed. However, no medical evidence had been produced to show as to whether the injured sustained any permanent disability. There is no medical evidence as to how long the treatment continued. No documentary evidence with regard to his income had also been produced. Hence, taking into consideration all the facts and circumstances of the case, a sum of Rs.15,000/- were awarded as just and compensation to be paid to the injured claimant on account of the injuries sustained by him in the accident.

Learned Tribunal has awarded Rs.15,000/- as compensation to the claimant-Surjit Singh on account of injuries sustained by him in accident which is just and reasonable in all counts. As such, the present appeal is dismissed.

(RITU BAHRI)
JUDGE

14.03.2018

anil

Whether speaking/reasoned Yes/No

Whether reportable Yes/No