

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No.3699 of 2001
Date of Decision: 14.03.2018

Gurmeet Kaur

.....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.5000/- was awarded to the claimant on account of injury suffered by her.

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

Gurmeet Kaur-claimant had sustained injuries on her ribs and right arm and that she remained admitted in Jidal Hospital for five days. She deposed that she spent about Rs.20,000/- on her treatment and she also placed on record her injuries report as Ex.P7. A perusal of medico legal report Ex.P7 shows that she sustained as many as four injuries. However, even record of her medical treatment had not been produced. No documentary evidence has also been produced as to whether she sustained any fracture and no medical bill had also been produced. Hence, the only inference which could be drawn was that she sustained only minor injuries which must have been treated in due course with medicine.

Learned Tribunal has awarded Rs.5,000/- as compensation to the claimant-Gurmeet Kaur on account of injuries sustained by her in accident which is just and reasonable in all counts. As such, the present appeal is dismissed as such.

(RITU BAHRI)
JUDGE

14.03.2018

anil

Whether speaking/reasoned Yes/No

Whether reportable Yes/No