

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

IOIN-FAO No.205 of 2004
Date of Decision: 06.04.2018

Jaswinder Singh

.....Appellant

Vs.

Jagdeep Singh and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- None for the appellant.

Mr.P.S.Saini, Advocate, for respondent No.3.

RITU BAHRI, J. (ORAL)

Present appeal has been preferred by the claimant-appellant (for short 'the appellant'), against award dated 30.09.2003, passed by the learned Motor Accident Claims Tribunal, Ludhiana (for short, 'the Tribunal') vide which compensation to the tune of Rs.30,000/-- was awarded to the claimant on account of injury suffered by the claimant.

FACTS NOT IN DISPUTE

On 11.11.2000, the claimant and his brother were coming from Gurudwara Dukhniwaran Sahib to Samrala on his bicycle and going towards Cheema Chowk, when a truck No.PB-10Y-9727 driven by respondent No.1 in a rash and negligent manner and at a high speed came from the back side and took immediate turn near T.Point, Transport nagar, crushing his right leg under the front wheel of the truck. The claimant and his brother were immediately taken to Preet Hospital, Ludhiana.

COMPENSATION ASSESSED BY MACT

A perusal of the Award shows that Dr.Darshan Singh, director, Preet Hospital,Ludhiana had appeared in the witness box and admitted that claimant had remained admitted in his hospital w.e.f. 11.11.2000 to 27.11.2000. The factum of accident had been proved and the offending vehicle was insured with respondent No.3-Insurance Company. The compensation has been awarded by the learned Tribunal as under:

Sr.No.	Heads of compensation	Amount
1	Medical expenses as per receipt PW5/1 to Ex.PW-5/7.	Rs.14,000/-
2.	Pain and suffering	Rs.10,000/-
3.	Loss of income and transportation charges	Rs.6,000/-
	Total	Rs.30,000/-

In view of the above, learned Tribunal has assessed the compensation is just and reasonable in all counts and no modification is required to be made. Therefore, the present appeal is dismissed accordingly.

(RITU BAHRI)
JUDGE

06.04.2018
anil

Whether speaking/reasoned Yes/No

Whether reportable Yes/No