

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

210

**FAO-3432-2012 (O&M)
Date of Decision : 12.7.2018**

Parmod Kumar

..... Appellant

Versus

Padam Singh and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present: None for the appellant(s).

Mr. Vikram, Advocate for
Mr. D.S. Adlakha, Advocate
for the respondents No.1 and 2.

Mr. Pardeep Goyal, Advocate
for respondent No.3.

AJAY TEWARI, J. (Oral)

On 27.10.2017 the following order was passed :-

“No-one appears for the appellant. On an earlier occasion as well there was no appearance on his behalf. The instant petition is of the year 2012. Therefore, Mr. Ravi Singh, Advocate is hereby appointed as Amicus Curiae to assist the Court in this case as there is no appearance on behalf of the appellant.

The Registry shall intimate and provide complete set of paper book to him well in time to enable him to prepare the case before the next date of hearing.

List on 04.04.2018.”

Thereafter, none has appeared on behalf of the appellant.

I have gone through the order.

This appeal has been filed for enhancement under Section 163A passed by the Motor Accident Claims Tribunal, Jagadhari awarded an amount of Rs.2,05,000/- on account of the injuries suffered by the appellant in a road side accident on 4.8.2009.

Counsel for the respondent No.3-insurance company states that the age given by the appellant was accepted. His income has also been correctly taken to be Rs. 1250/- per month as per his own statement. As per the Constitution Bench judgment of the Supreme Court in the matter of *National Insurance Company Ltd. vs. Pranay Sethi and others, 2017(4) RCR (Civil)1009* the multiplier has also been correctly taken, rather an extra amount of Rs. 5000/- has been paid for attendant, special diet and transportation which is not available under Section 163 A.

In view of these facts and circumstances, the appeal stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

12.7.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No