

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

**FAO No.134 of 2015
Date of Decision:19.01.2018**

Karamveer Singh

...Appellant

Versus

Raghubir Singh and others

...Respondents

FAO No.135 of 2015

Satish Kumar

...Appellant

Versus

Raghubir Singh and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Mandeep Singh Khillan, Advocate for the appellant(s).
Mr.R.C.Kapoor, Advocate for Insurance Co.

ANIL KSHETARPAL, J. (ORAL)

These two identical appeals bearing FAO Nos.134 of 2015 and 135 of 2015 are being decided together, as both these appeals are arising from a common award passed by the learned Motor Accident Claims Tribunal, Karnal ('the Tribunal' for short).

Both the appellants had suffered injuries in an accident, which took place on 9.9.2012. They were driving a motorcycle when they met with an accident with car being driven by respondent No.1. The Tribunal

found driver of the car to be rash and negligent. This finding is not being challenged before me.

The Tribunal, after considering the fact that the appellants remained admitted in a hospital for a period of six days, awarded the actual medical expenses proved before the Tribunal. The Tribunal in Karamveer Case has awarded a total sum of Rs.20,800/- , whereas in the case of Satish Kumar, a sum of Rs.20,970/- was awarded towards compensation.

It is also established on the file that the appellants did not suffer any permanent disability. They suffered injuries and remained in the hospital for a period of six days. However, there was no fracture. The learned Tribunal did not grant any amount either for attendant or for future medical expenses.

Taking into consideration the facts that no compensation has been awarded for transportation, future medical expenses, attendant etc., coupled with the fact that loss of income was assessed only at Rs.5,000/- which is also on the lower side, the compensation awarded by the Tribunal is increased to Rs.40,000/- each.

In view of the above, both the appeals are allowed. The appellants are awarded total compensation of Rs.40,000/- each. The enhanced amount, i.e. Rs.19200/- in the case of Karamveer and Rs.19,030/- in the case of Satish Kumar shall be payable with interest @ 6% per annum.

19.01.2018
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No