

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

FAO No.3894 of 2013 (O&M)

Date of Decision:- 16.5.2018

Lalit Kumar

....Appellant

Versus

Satbir and others

....Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Pradeep Goyat, Advocate for
Mr. Sandeep Goyat, Advocate
for the appellant.

Mr. Kulwinder Singh, Advocate for
Mr. Sanjeev Goyal, Advocate
for respondent No.3.

Gurvinder Singh Gill, J. (Oral)

Claimant Lalit Kumar seeks enhancement of compensation on account of injuries sustained by him in a vehicular accident, which occurred on 30.1.2012. The learned Tribunal has awarded compensation to the tune of ₹2,10,000/-.

I have heard the learned counsel for the parties and have gone through the impugned award as well as record of the case. Though, a disability certificate indicating that the injured had sustained permanent disability to the tune of 8% was filed but on account of non-examination of any witness to prove the said document, the said disability certificate was not taken into account.

In any case, from the testimony of PW-1 Dr. Tarun Sapra, it does

stand established that the injured had remained admitted in Sapra Hospital, Hisar, where he was operated upon. From his testimony, it is also evident that he remained admitted for about 14 days and subsequently was advised bed rest for one month.

On account of the fact that he had been operated upon and must have visited the hospital several times thereafter for his follow up treatment necessitating hiring of some conveyance, in my opinion, an amount of ₹10,000/- needs to be added to the compensation in addition to the amount already awarded by learned Tribunal.

I further find that no amount has been awarded by learned Tribunal towards the attendant charges. Since, the claimant remained hospitalized for about two weeks and thereafter, was advised bed rest for one month, he must have taken help of some attendant to attend to some of the daily chores, which he could not have attended by himself. As such, an amount of ₹5,000/- towards attendant charges also needs to be added to the compensation awarded.

I do not find any other infirmity in the impugned award. Consequently, the award in question is modified and the compensation awarded is enhanced from ₹2,10,000/- to ₹2,25,000/- as indicated above.

The appeal stands accepted accordingly in above mentioned terms.

May 16, 2018
sandeep

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No