

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

FAO No.2070 of 2015 (O&M)

Date of decision: 15.02.2018

Ravinder Kumar

... Appellant

Versus

Gurjeet Singh and others

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Abhinav Kalia, Advocate
for the appellant.

Mr. B.R. Madan, Advocate
for the insurance company.

REKHA MITTAL, J. (Oral)

The injured victim is in appeal seeking enhancement of compensation on account of injuries sustained by him in a motor vehicular accident that took place on 30.08.2011.

The Tribunal has awarded an amount of Rs.1,33,700/-, represented in a tabulated form in para 16 of the award.

Counsel for the appellant would submit that compensation awarded by the Tribunal under various heads except medical expenses is on lower side and needs enhancement.

Counsel representing the insurance company has supported assessment made by the Tribunal with the plea that adequate compensation has been allowed.

Perusal of the table in para 16 of the award, would reveal that the claimant has been awarded Rs.8000/- for attendant charges and other expenses, Rs.5000/- for special diet, Rs.20,000/- for pain and sufferings and Rs.10,000/- for disability of 5%. Counsel for the claimant would inform that the injured remained hospitalised for a period of 8 days. Under the circumstances, compensation awarded by the Tribunal under the aforesaid heads except disability is liable to be affirmed and ordered accordingly.

Dr. Rakesh Mittal, Deputy Civil Surgeon, Karnal proved disability certificate Ex.PW3/A whereby disability was assessed at 10% qua a particular limb. There is nothing on record suggestive of the fact that disability suffered by the victim has resulted in loss of income or his promotional avenues etc. As the injured suffered disability of 10%, he is awarded an amount of Rs.20,000/- @ Rs.2000/- per percent in regard to disability suffered by him. The additional amount of Rs.10,000/- shall be payable with interest @ 7.5% per annum from the date of petition till realization.

The appeal is partly allowed in the aforesaid terms.

15.02.2018

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No