

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

229

FAO-2143-2015 (O&M)
Date of Decision : 8.10.2018

Neeraj

....Appellant

vs.

Chander Pal Singh and others

....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. J.P.Jangu, Advocate
for the appellant.

Mr. Satpal Dhamija, Advocate
for respondent No.3.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the award dated 31.7.2014 passed by Motor Accident Claims Tribunal, Gurgaon awarding compensation of Rs. 7,60,490/- alongwith interest at the rate of 7.5% per annum on account of injuries sustained by Neeraj-appellant in an accident.

Since limited points have been urged detailed reference to the facts is not required.

Counsel for the appellant states that there was a permanent disability of 60% and nothing has been awarded by the Tribunal. As per the judgment of this Court passed in the matter of *Ram Kiran Goyal vs. Sub Divisional Mechanical 2008 (2) RCR (Civil) 103* Rs.2,000/- has to be paid for every per cent of disability. Counsel for the respondent No.3 is not in a position to deny this. In the circumstances, Rs.1,20,000/- is granted for

permanent disability.

Counsel for the appellant states that an amount of Rs.30,000/- has been awarded for pain and suffering and Rs.30,000/- has been awarded for loss of expectation of life and loss of amenities. I find this to be highly inadequate. Consequently, I award Rs. 60,000/- more under these two heads.

Counsel for the appellant has further pointed out that in the judgment of “*Magma General Insurance Company Limited vs. Nanu Ram Alias Chuhru Ram and others*” in *Civil Appeal No. 9581 of 2018* decided on 18.9.2018 the Supreme Court has awarded interest at the rate of 12% per annum on the entire compensation. In view of this judgment, I also award 12% interest per annum on the entire compensation from the date of filing of the claim petition till the date of payment.

The appeal stands disposed of with the abovesaid modifications.

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

8.10.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No