

In the High Court of Punjab and Haryana at Chandigarh

FAO No. 3389 of 2015(O&M)
Date of Decision: 11.5.2018

Rupinder Kaur

---Appellant

versus

Surjit Singh and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr.Sandeep Singh, Advocate
for the appellant

Mr. Satpal Dhamija Advocate and
Mr.Varun Sharma, Advocate,
for the insurance company

Rekha Mittal, J.

Rupinder Kaur, the injured is in appeal seeking enhancement of compensation on account of injuries sustained by her in a motor vehicular accident that took place on 15.11.2011.

The Motor Accidents Claims Tribunal, Karnal (in short “the Tribunal”) has awarded compensation of Rs. 87,100/-, detailed hereunder:-

Medical expenses	Rs. 53,700/-
Attendant charges and other expenses including maid servant	Rs. 8,400/-
Special diet	Rs. 5,000/-
Pain and suffering	Rs. 20,000/-

Dr. J.K.Gulati, Orthopedic Surgeon, Virk Hospital, Karnal was examined to prove nature of injuries and period of treatment as an indoor patient. He deposed that on radiological examination of the patient, fracture

of right wrist was found. He proved copy of medico legal report Ex. PW4/A, X-ray report Ex. PW4/B, OPD slips Exs. PW4/C to PW4/E. The patient was discharged on 18.11.2011 meaning thereby that she remained in hospital for four days. Taking into consideration that the victim suffered fracture of right wrist, she must have been deprived of rendering services to her family as a household lady for a period of 2½ months. Value of services of the injured is assessed at Rs. 6000/- per month. The claimant shall be entitled to **Rs. 15,000/-** qua loss of her services to the family or payment made to a maid servant to look after her. Compensation awarded by the Tribunal under other heads is liable to be affirmed and ordered accordingly.

Additional amount of Rs. 15,000/- 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.

(Rekha Mittal)
Judge

11.5.2018

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No