

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

222-A

**FAO-4289-2015 (O&M)
Date of Decision : 16.11.2018**

Anmol Singh

...Appellant

vs.

Naveen Kumar alias Rajesh Kumar and others

...Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. P.S.Mirpur, Advocate
for the appellant.

Mr. P.H.S.Pannu, Advocate
for respondent No. 3

AJAY TEWARI, J. (Oral)

This appeal has been filed against the award dated 02.03.2015 passed by Motor Accident Claims Tribunal, Karnal awarding compensation of Rs. 3,87,540/- alongwith interest at the rate of 8% per annum on account of injuries sustained by the appellant in a motor accident.

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

Learned counsel for the appellant has argued that the appellant was admitted in hospital for 19 days and had suffered neurological injuries and the Tribunal erred in not granting him any amount for attendant charges because even after discharge he required an attendant for many days. The Tribunal awarded only Rs.5000/- for special diet and Rs.20,000/- for pain and suffering. In my opinion, there is some merit in this argument and I award

him Rs. 26,000/- for attendant charges for 19 days for which he remained in hospital and for one week thereafter. I also award him another amount of Rs. 30,000/- for pain and suffering.

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 enhanced amount from the date of filing of the claim petition till the date of payment.

Resultantly, this appeal stands disposed of with the modification.

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

16.11.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No