

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

224-A

FAO No.4873 of 2015 (O&M)

Date of decision: 15.01.2018

Poonam

...Appellant

Versus

Surender Kumar and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Baljinder Singh, Advocate for
Mr. Jainainder Saini, Advocate
for the appellant.

REKHA MITTAL, J. (Oral)

The injured victim is in appeal seeking enhancement of compensation in respect of injuries sustained in a motor vehicular accident that took place on 26.01.2012.

The Tribunal has awarded compensation to the tune of Rs.1,01,000/-, detailed hereunder:-

1. On account of grievous injuries	Rs.40,000/-
2. Expenses on medical treatment	Rs.21,000/-
3. Loss of income	Rs.20,000/-
4. Services of attendant, special diet pain and mental agony	Rs.20,000/-

Counsel for the appellant would urge that as the injured victim remained under treatment as an indoor and outdoor patient for a period of about 3 months, adequate compensation may be allowed for loss of income.

Counsel for the appellant, in response to a query, would inform that the claimant suffered head injury and remained hospitalised for a period of 6 days. There is nothing on record suggestive of the fact that she had undergone any medical procedure (operation) much less having suffered disability on account of head injury. The Tribunal has shown magnanimity in allowing compensation of Rs.40,000/- on account of grievous injuries sustained by the victim when otherwise in injury cases, no such compensation is available. I do not find any justification for enhancement of compensation awarded by the Tribunal.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine. As the appeal has been decided on merits, applications for condonation of delay are of academic relevance only.

15.01.2018

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No