

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

**FAO No. 5602 of 2015(O&M)  
Date of decision:- 14.05.2018**

Saurav Sharma

---Appellant.

Versus

Manmohan Singh and another

---Respondents.

**CORAM: HON'BLE Mr. JUSTICE AVNEESH JHINGAN**

Present:- Mr. Deepak Mehra, Advocate,  
for the appellant.

Mr. Sanjeev Goyal, Advocate,  
for respondent No.2- Insurance Company.

**AVNEESH JHINGAN J. (Oral)**

**CM Nos. 17724-CII and 17723-CII of 2015**

Present applications are for condonation of delay in filing and refilling the appeal, respectively.

Learned counsel for the respondent file reply to the application i.e. CM No. 17724-CII of 2015, same is taken on record.

For the reasons mentioned in the applications, same are allowed and delay of 345 days in filing and 31 days in refilling the appeal is condoned.

Accordingly, both applications stand disposed of.

**Main case:**

Notice.

By consent of Learned counsel for the parties, the appeal is taken up today and heard.

The present appeal arises from the award dated 05.02.2014 passed by Motor Accident Claims Tribunal, Amritsar (for short 'the Tribunal').

The appellant suffered injuries in a motor vehicular accident which took place on 28.03.2010. As a result of the accident, he suffered injuries and remained hospitalized.

A claim petition under Section 166 of the Motor Vehicles Act, 1988 ( for short 'the Act') has been filed by the claimant. The Tribunal awarded a sum of Rs.2,85,000/- along with interest at the rate of 7.5% per annum.

In the present appeal, the only grievance raised is that medical bill exhibited as P81 worth Rs.90,000/- was duly produced and proved before the Tribunal but the Tribunal while awarding the medical expenses has not considered the same. Learned Counsel for the insurer states that they may be given an opportunity to verify the same.

Without expressing any opinion upon the merits of the case, the matter is remanded back to the Tribunal to consider Ex. P81. If the same is proved and it has not been already considered while awarding the amount of compensation the same allowed to the appellant.

Needless to add that the insurer would have opportunity to rebut the claim so made.

Parties are directed to remain present before the Tribunal on 10.07.2018.

Accordingly, the present appeal is partly allowed to the above extent.

**14.05.2018**

Riya Grover

**(AVNEESH JHINGAN)**  
**JUDGE**

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*