

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No.4896 of 2016 (O&M)

Date of decision:- 16.03.2018

HDFC ERGO GENERAL INSURANCE CO LTD. ...Petitioner

Versus

SOURABH RAWAL AND ORS

...Respondent

BEFORE: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Ashwani Talwar, Advocate, for the appellant.

Mr.Satyavir Yadav, Advocate, for respondent No.1.

Mr.Gaurav Jindal, Advocate, for respondent No.2.

Mr.Gopal Sharma, Advocate, for respondent No.3.

RITU BAHRI J. (Oral)

CM No.16726-CII of 2016

For the reasons stated in the application, delay of 15 days in filing the appeal is condoned.

Application stands disposed of.

Main Case

The appellant /Insurance Company has come up in appeal against the impugned Award dated 01.04.2016 whereby the claimant has been awarded a compensation of Rs.1,36,662/- on account of damages sustained to the car bearing No.HR-05-X-2144 in a motor vehicle accident which took place on 05.07.2015.

A perusal of the impugned Award shows that the said aspect has been considered by the learned Tribunal in paragraph 28 in which it has been mentioned that car in question of the year 2008 as per statement of

PW-5 Rajesh Bhatia, Proprietor of Bhatia Motor, ITI Chowk, Karnal, the car was got repaired from him and did the necessary job/work i.e. denting-painting and body alignment etc. and he charged total a sum of Rs.61,662/- vide bill Ex.P26, from the owner of the car i.e. Sourabh Rawal on account of abovesaid repairing. After going through the evidence and materials on record, the learned Tribunal had awarded the compensation as under:

Sr.No.	Heads of compensation	Amount
1	Expenses on repairing vide bill Ex.P26 from Bhatia Motor	Rs.61,662/-
2.	Loss of value of vehicle	Rs.50,000/-
3.	For hiring taxy during the period of repair by the claimant	Rs.10,000/-
4.	Lifting charges of damaged vehicle	Rs.15,000/-
	Total	Rs.1,36,662/-

In view of the above, the compensation has been rightly awarded by the learned tribunal in all the heads on account of damages sustained to the car bearing No.HR-05-X-2144 and no modification is required to be made. Therefore, the present appeal is dismissed accordingly.

16.03.2018
anil

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>