

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

223

FAO No.7936 of 2014 (O&M)

Date of decision: 16.11.2018

RAJ KUMAR

... Appellant

Versus

RAMESH KUMAR AND ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. J.P. Sharma, Advocate for the appellant.
Mr. M.B. Jain, Advocate for the insurance company.

REKHA MITTAL, J. (Oral)

CM No.21383-CII of 2014

Heard.

Allowed as prayed for. Delay of 60 days in filing the appeal stands condoned.

Main Case

The claimant is in appeal seeking enhancement of compensation on account of injuries sustained by him in a motor vehicular accident that took place on 27.11.2012.

The Tribunal, vide award dated 13.02.2014 awarded compensation to the tune of Rs.1 lakh payable with interest @ 7.5% per annum from the date of filing of petition till realization.

Vide order dated 16.03.2018, this Court referred the matter to the Tribunal for reassessment of compensation headwise on the basis of materials on record and by taking into consideration various judgments on the issue particularly judgment of Hon'ble Supreme Court **Raj Kumar Vs. Ajay Kumar and others, 2011(2) RCR (Civil) 101**. In compliance with the order passed by this Court, the Tribunal has sent report dated 29.10.2018 and in view of reassessment, claimant has been held entitle to Rs.5,82,645/- payable with interest.

Counsel for the appellant would state that appeal filed by the claimant may be disposed of by allowing him compensation as per reassessment made by the Tribunal vide report dated 29.10.2018.

Counsel for the insurance company has nothing to say in the matter. He would state that the amount reassessed is on higher side.

As the insurance company has not filed any objection against the report submitted by the Tribunal on 29.10.2018 and in view of concession recorded by counsel for the claimant, the appeal stands disposed of. Claimant shall be entitle to compensation as per reassessment made by the Tribunal.

Disposed of accordingly.

16.11.2018

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:	Yes / No
Whether reportable:	Yes / No