

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No.651 of 2015

Date of decision:- 22.03.2018

Prabhleen Kaur

...Appellant

Versus

Gurinder Singh and others

...Respondents

BEFORE: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.S.S.Narula, Advocate, for the appellant.

Mr.G.S.Brar, Advocate, for respondents No.1 and 2.

Mr.Rajbir Wasu, Advocate, for respondent No.3.

RITU BAHRI J. (Oral)

Present appeal has been preferred by the claimant-appellant (for short 'the appellant'), against award dated 30.09.2014, passed by the learned Motor Accident Claims Tribunal, Patiala (for short, 'the Tribunal') vide which compensation to the tune of Rs.17,160/- was awarded to the claimant on account of injuries suffered by her in a motor vehicular accident which took place on 18.01.2013.

FACTS NOT IN DISPUTE

On 18.01.2013, claimant was going to Ludhiana in Santro Car No.PB-11Y-5782 which was being driven by her father Jaspal Singh on a moderate speed and on correct side of the road. Manmohan Singh who was going to Amritsar in his car No.PB-2AY-8070 was following them. At about 10:00 am when their car reached near bus stand Bagrian, then Mahindra Bolero No.PB-65L-1680 came from the opposite side and on seeing the said Bolero, Jaspal Singh took his santro care towards the kacha path on left side but respondent No.1 who was driving the offending vehicle on very high speed rashly and negligently struck his Mahindra Bolero in Santro Car. Manmohan Singh stopped his car and found that Manjit Kaur died at the spot due to head injury. She alongwith her brother and father also received multiple and grievous injuries. They were rushed to Columbia Asia

Hospital, Patiala. She remained admitted from 18.01.2013 to 22.01.2013. The accident occurred due to rash and negligent driving of respondent No.1. An FIR No.7 dated 18.01.2013 for the offence under Section 279, 337, 427, 304-A of IPC was registered in PS Mulepur, District Fatehgarh Sahib against respondent No.1 on the statement of Manmohan Singh.

COMPENSATION ASSESSED BY MACT

The Tribunal held that the claimant was 16 years old. The claimant had duly proved on record medical bills amounting to Rs.20,878/- and the perusal of the record shows that she was admitted in hospital from 18.01.2013 to 20.01.2013. The claimant had proved on record letter dated 26.09.2014 regarding payment of the amount on account of medical reimbursement as EX-PX. The perusal of the same shows that a sum of Rs.7718/- have already been reimbursed to the claimant. The factum of accident had been proved and the offending vehicle was insured with respondent No.3-Insurance Company. The compensation has been assessed by the learned Tribunal is as under:-

Sr.No.	Heads of compensation	Amount
1	Hospitalization charges, treatment expenses and expenses incurred on medicines	Rs.13,160/-
2.	Special diet and attendant charges	Rs.1,000/-
3.	Pains and sufferings	Rs.3,000/-
	Total	Rs.17,160/-

A perusal of the above table shows that compensation has been awarded by the learned Tribunal is just and reasonable and no modification is required to be made. Hence, the present appeal is dismissed accordingly.

22.03.2018
anil

(RITU BAHRI)
JUDGE

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