

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

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FAO No.5962 of 2016 (O&M)

Date of decision: 20.07.2018

SANDEEP

... Appellant

Versus

GYAN PARKASH AND ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Gopal Sharma, Advocate for the appellant.

Mr. M.B. Jain, Advocate for the insurance company.

REKHA MITTAL, J. (Oral)

CM-20361-CII-2016

Heard.

Allowed as prayed for. Delay of 170 days in filing the appeal stands condoned subject to the condition that the claimant shall forgo interest for the period of delay in case compensation is enhanced.

Main Case

The claimant is in appeal seeking enhancement of compensation on account of injuries sustained in a motor vehicular accident that took place on 27.02.2014.

The Tribunal has awarded compensation of Rs.3,97,565/-, detailed hereunder:-

1. Medical expenses	Rs.3,52,565/-
2. Better diet	Rs.5000/-
3. Pain and sufferings	Rs.35,000/-
4. Transportation charges	Rs.5000/-

Counsel for the appellant would urge that the injured sustained serious injuries including head injury and remained hospitalised for a period of 20 days. Compensation awarded by the Tribunal for nutritious diet and transportation charges is on lower side. Claimant is entitled to compensation

for loss of income and services of an attendant.

Counsel representing the insurance company has supported the assessment made by the Tribunal.

The claimant placed on record documents with regard to medical expenses to the tune of Rs.3,52,565/-, reimbursed by the Tribunal. Bikram Singh, Pharmacist deposed that the claimant remained admitted in Aditya Hospital, Rewari from 27.02.2014 to 19.03.2014. The claimant is a resident of village Luhana, Tehsil and District Rewari. Taking into consideration the period of hospitalisation coupled with that the claimant might not have been able to resume his work for another one month, he is allowed compensation of Rs.15,000/- towards loss of income. He is awarded Rs.5000/- towards services of attendant. The additional amount of Rs.20,000/- shall be payable with interest @ 7.5% per annum from the date of petition till realization, except for the period of delay of 170 days in filing the appeal.

The appeal is partly allowed in the aforesaid terms.

20.07.2018

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No