

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

-.-

FAO 7000 of 2015 (O&M)
Date of decision: 08.02.2018

Aryan Poonia Appellant
Versus
Pardeep Kumar and others Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal
-.-

Present: Mr. Kuldeep Sheoran, Advocate
for the appellant

Mr. Rajesh K Sharma, Advocate
for respondent No. 3
-.-

Rekha Mittal, J. (Oral)

The claimant is in appeal seeking enhancement of compensation on account of injuries sustained in a motor vehicular accident that took place on 12.06.2013.

The Tribunal has awarded Rs.4,81,669.00, detailed hereunder:-

Medical expenses	Rs.4,56,669.00
Pain, suffering, mental agony and special diet etc.	Rs.25,000.00

Counsel for the appellant has submitted that the minor injured aged about 8 years remained hospitalized for a period of 12 days. He sustained injuries and approximately an amount of Rs.5,00,000.00 was spent on his treatment. The Tribunal has not awarded any compensation for expenses on transportation and inconvenience as well as loss of business for parents of the injured victim.

Counsel representing insurance company has supported the assessment made by the Tribunal with the plea that adequate compensation has been awarded.

The child aged about 8 years remained hospitalized for 12 days and bills valuing Rs.4,56,669.00 qua medical expenses were placed on record. The claimant examined Dr. L M Bansal (PW1), Dr. B L Bagri (PW2) and Dr. Rishab Kedia (PW3) to prove nature of treatment given to the victim. Taking into consideration nature of injuries sustained coupled with the period of treatment as an indoor patient, interest of justice would be served if claimant is paid additional amount of Rs.15,000.00 towards expenses of transportation, loss of business and inconvenience caused to parents of the victim due to accident. The additional amount shall be payable along with interest at the rate of 7.5% per annum from the date of petition till realization.

The appeal is partly allowed in the aforesaid terms.

(Rekha Mittal)
Judge

08.02.2018
mohan bimbira

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No