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

**FAO No.701 of 2015 (O&M)
Date of Decision: 12.09.2018**

Sukhmani Kaur

.....Appellant

Vs

Raj Kumar and another

....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. K.S. Rekhi, Advocate
for the appellant.

Mr. Navin Kapur, Advocate
for respondent No.2/Insurance Company.

RAJ MOHAN SINGH, J. (Oral)

[1]. The present appeal for enhancement of compensation has been preferred at the instance of the injured/appellant. The only claim is with regard to the inadequacy of amount of compensation awarded towards pain and suffering.

[2]. The awards of maintenance *qua* other heads i.e. medicines and medical treatment, loss of income, attendant charges, conveyance and special diet have not been assailed during course of arguments.

[3]. Learned counsel for the appellant submitted that after the accident in question, the appellant remained hospitalized

from 05.10.2011 to 21.10.2011 and thereafter again she remained hospitalized from 11.11.2011 to 14.11.2011. Appellant has incurred huge expenses towards her medical treatment.

[4]. According to the deposition made by the appellant before the Tribunal, she got multiple injuries on her person including fracture on right leg, under knee, fracture on her right thigh, shoulder injury, bone and jaw injury. She was shifted to Amandeep Hospital on account of seriousness of the injuries, where she remained hospitalized from 05.10.2011 to 21.10.2011 and again for the period from 11.11.2011 to 14.11.2011.

[5]. Learned counsel appearing on behalf of the Insurance Company has not disputed the factum of grant of compensation for different heads. The factum of accident has also not been disputed.

[6]. I have considered the submissions made by learned counsel for the parties.

[7]. Pain and suffering is a necessary component to be reimbursed adequately keeping in view the agony suffered by the claimant during the period of hospitalization and even thereafter towards follow up treatment. The injured claimant was a Teacher in a private school and her suffering can be appreciated in view of her hospitalization for number of days.

Since other components have been adequately answered by the Tribunal, I deem it appropriate to enhance the amount awarded towards pain and suffering from Rs.25,000/- to Rs.1,00,000/- The enhanced amount of Rs.75,000/- shall carry interest @ 7.5% from the date of filing of claim petition till final realization of the amount.

[8]. With the aforesaid modification, this appeal is disposed of.

September 12, 2018

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No