

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

FAO No.6079 of 2016 (O&M)

Date of decision: 25.05.2018

Ramesh Kumar

.... Appellant

Versus

Shamsher Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Ms. Ekta Thakur, Advocate
for the appellant.

Avneesh Jhingan, J.

The present appeal has been filed against award dated 23.03.2016 passed by Motor Accidents Claims Tribunal, Chandigarh (hereinafter referred to as 'the Tribunal').

The appellant sustained injuries in a motor vehicular accident that took place on 27.02.2015. The offending vehicle in the said accident was bearing registration No.PB-03-S-3525. As a result of the injury suffered in the right thigh, there was 5% permanent disability.

In the claim petition filed under Section 166 of the Motor Vehicles Act, 1988 (for short, 'the Act'), the Tribunal awarded a sum of Rs.1,53,131/- along with interest @ 7.5% per annum.

The present appeal has been filed for enhancement of compensation.

Notice of motion qua respondent No.3 only.

Mr. Pardeep Goyal, Advocate, who is present in Court, accepts

notice on behalf of respondent No.3. Paper book was handed over to

learned counsel for respondent No.3.

With consent of learned counsel for both the parties, the appeal is taken up for hearing on merits.

Learned counsel for the appellant contended that though the Tribunal has applied the multiplier method for awarding compensation for permanent disability but keeping in view the nature of injury and period of hospitalisation the amounts awarded under the various heads are on the lower side.

Keeping in view the facts and circumstances of the case, it is deemed appropriate that the amount awarded by the Tribunal is enhanced by Rs.25,000/-. It is clarified that while awarding the said amount, the interest to be awarded under section 171 of the Act has also been taken in consideration.

The appeal is partly allowed in the aforesaid terms.

(AVNEESH JHINGAN)
JUDGE

25.05.2018
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1. Whether the order is speaking/reasoned:	Yes/No
2. Whether the order is reportable :	Yes/No