

DIWAKER GULATI
2018.10.04 11:53**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****FAO No. 9696 of 2014(O&M)****Date of decision: 26.9.2018**

Kamal Singh

.....Appellant

VERSUS

Bhoop Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. R.K. Sharma, Advocate for the appellant.

Mr. Rajneesh Malhotra, Advocate for respondent-Insurance
Company.

REKHA MITTAL, J. (Oral)

The claimant is in appeal seeking enhancement of compensation awarded by the Motor Accidents Claims Tribunal, Palwal (in short 'the Tribunal') on account of injuries sustained in a motor vehicular accident that took place on 09.03.2012.

The Tribunal has awarded compensation of Rs.1,12,096/- detailed hereunder:-

Medical expenses	Rs.92,096/-
Pain and suffering	Rs.10,000/-
Special diet	Rs.10,000/-

Counsel for the appellants would state that the injured was 20 years old at the time of occurrence and he remained hospitalized for a period of about 15 days. He is entitle to compensation for loss of earning

during period of treatment and recovery, transportation expenses and services of an attendant.

Counsel for the insurance company, on the contrary, has submitted that compensation assessed by the Tribunal is just and reasonable.

Perusal of the award does not make it clear as to what injuries were sustained by the claimant. He has not examined the treating doctor to prove nature of injuries and treatment. However, claimant placed on record bills Ex.P1 to P5 with regard to expenses to the tune of Rs.92,096/- qua his treatment. Taking a reasonable and sympathetic view in the matter, claimant is allowed an additional sum of Rs.10,000/- for loss of earning, transportation expenses and services of an attendant, payable 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. All other terms and conditions of the award shall remain intact.

SEPTEMBER 26, 2018

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no