

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

FAO No. 228 of 2017(O&M)

Date of Decision: September 28 , 2018.

Gagandeep Kaur

..... APPELLANT (s)

Versus

Jagtar Singh and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Rajbir Singh, Advocate
for the appellant.

LISA GILL, J.

This is an appeal preferred by the claimant seeking enhancement of compensation awarded to her by the learned Motor Accident Claims Tribunal, Sangrur (for short, the 'Tribunal') vide impugned award dated 18.02.2016 on account of the injuries and disability suffered by her in a motor vehicle accident.

Brief facts necessary for adjudication of the case are that, the claimant/appellant filed a petition under Section 163-A of the Motor Vehicles Act (for short, the 'Act') seeking compensation on account of the injuries suffered by her in a motor vehicle accident which took place on 31.03.2014 involving Activa scooter bearing registration No.PB-44B-5871 being driven by her and Indigo car bearing registration No. PB-10CA-0209 being driven by respondent No.1. DDR No.09 dated 05.04.2014 (Ex.A1) was lodged at Police Post Badrukhan, Police Station Longowal regarding the accident in question. Claim petition filed by the claimant/appellant was resisted by the Insurance Company as well as the driver and owner of the offending vehicle by filing separate written statements.

The learned Tribunal on consideration of the facts and evidence on record concluded that the accident in question has been proved to have taken place due to the use and involvement of Indigo car bearing registration No.PB-10CA-0209 by respondent No.1. This finding of the learned Tribunal has not been challenged and the same thus attained finality. The learned Tribunal awarded a total sum of ₹2,33,100/- as compensation to the claimant/appellant vide impugned award dated 18.02.2016.

The present is a case where petition under Section 163A of the Act was filed by the claimant/appellant seeking compensation on account of the injuries received by her in the accident which took place on 31.03.2014 involving the Activa scooter as mentioned above. Perusal of the file reveals that there is no scope for any further enhancement of the compensation awarded to the appellant by the learned Tribunal.

Learned counsel for the appellant is unable to point out any illegality or infirmity in the impugned award which calls for interference by this Court in the impugned award dated 18.02.2016 passed by learned Motor Accident Claims Tribunal, Sangrur at the instance of the appellant.

Consequently, this appeal is dismissed with no order as to cost.

September 28 , 2018.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No