

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

FAO No.6844 of 2017 (O&M)

Date of decision: 25.05.2018

Juber

.... Appellant

Versus

Farukh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr.Brijender Singh, Advocate for
Mr. Ashish Gupta, Advocate
for the appellants.

Avneesh Jhingan, J.

The present appeal has been filed against award dated 31.05.2017 passed by Motor Accidents Claims Tribunal, Nuh (hereinafter referred to as 'the Tribunal').

In a motor vehicular accident that took place on 16.02.2015, the appellant suffered injuries because of rash and negligent driving of tractor bearing registration No.HR-28B-6429.

A claim petition under Section 166 of the Motor Vehicles Act, 1988 (for short, 'the Act') was filed. The Tribunal awarded compensation of Rs.25,022 along with interest @ 9% per annum.

The present appeal has been filed for enhancement of compensation.

Learned counsel for the appellant contended that the appellant was hospitalised for three days and suffered multiple injuries. Medical

expenses of Rs.8,000/- were incurred. His contention is that the amounts awarded under the various conventional heads are on the lower side.

Learned counsel for the insurer of the offending vehicle defended the award and resisted any enhancement.

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.5,000/-. 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

anju

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

2. Whether the order is reportable : Yes/No