

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

208

FAO-1136-2003

Date of Decision : August 20, 2019

AMRIT KAUR

.....Appellant

VERSUS

RAJINDER SINGH AND ORS

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Rajinder Singh Rana, Advocate
for the appellant.

Mr. Satpal Dhamija, Advocate
for respondent No.4-Insurance Company.

NIRMALJIT KAUR, J. (Oral)

The present appeal is filed for enhancement of the amount granted by the Motor Accident Claims Tribunal, Kurukshetra vide award dated 4.12.2002.

While praying for enhancement, learned counsel for the appellant states that the appellant has suffered injuries on the face. As per the medical evidence by way of the statement of Dr. Nagpal, the injuries were grievous in nature. Copy of the injury report has also been placed on record as Annexure P-1. It is submitted that the seriousness of the injuries were not taken into consideration while granting the compensation. It is further stated that even the medical bills amounting to Rs.33,000/-, but only Rs.7,000/- has been awarded. As per her statement, a huge amount of Rs.34,000/- has been spent on her treatment when she was under treatment with Dr. Nagpal at Kurukshetra and

thereafter Rs.13,000/- was given to Dr. Nagpal as well besides the expenditure on the medicines. Thereafter, she was under treatment with Dr. Jagdev and Dr. Ravi in Batala where she spent another Rs.60,000/-. It is further stated that the appellant is unable to take good food and speak properly because of the loss of her teeth and injury on her jaw. Admittedly, as per the bills on record, the total amount comes to Rs.31,896/- and the same is rounded off which comes to Rs.32,000/-.

In view of the above, this Court deems it proper to enhance the amount to Rs.32,000/- minus Rs.7,000/- i.e. Rs.25,000/-. This Court finds that the amount towards the other heads i.e. pain and agony as well as inconvenience and remaining away from her work is also inadequate. Accordingly, the appellant is entitled to another amount of Rs.10,000/- towards the said heads. Hence, the appellant is entitled to the enhanced amount of Rs.35,000/-.

Accordingly, the present appeal is allowed to the said extent. The enhanced amount of Rs.35,000/- be deposited within two months from the receipt of certified copy of this order alongwith 6% interest from the date of the claim petition till realization.

However, in case the same is not deposited within two months, the same shall thereafter be deposited alongwith interest @ 12% till payment after the expiry of two months.

August 20, 2019
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(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No