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

FAO-2897-1999 (O&M)
Date of decision : 11.4.2019

Parkash Chand

..... Appellant

Versus

Zora Singh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Vikas Suri, Advocate for the appellant.

Mr. Nonish Kumar, Advocate for respondent No. 2.

Mr. R.K.Bashamboo, Mr. Neeraj Khanna and
Mr. Ravinder Arora, Advocate for Insurance Company.

KULDIP SINGH, J.

Heard.

Appellant-claimant while boarding a bus from Nabha to Sangrur on March 9, 1995 at 5.00 P.M. fell down and his left arm was crushed under the rear wheel of the bus. He was working as vegetable vendor/fruit seller. He remained in hospital for a period of three days. As per the disability certificate (Annexure P-5), appellant-claimant suffered 40% permanent disability.

It was claimed by appellant-claimant that he is unable to earn his livelihood by selling vegetables and that the disability is coming in his way. Before the Tribunal, appellant-claimant could not produce the details of the expenses. As on account of crushing of the arm, the plaster had to be applied and it can be assumed that one remained disabled for about two to three months and even thereafter, due to fracture, the mobility of the left hand will be affected.

The Tribunal allowed Rs. 35,000/- as compensation to the appellant-claimant.

Considering the 40% disability which is permanent in nature and the expenses which are likely to be occurred for treatment, pain and suffering and loss of enjoyment of life, present appeal is allowed and the compensation awarded to appellant-claimant is enhanced from Rs. 35,000/- to Rs. 70,000/- and 6% per annum interest is allowed on enhanced compensation from the date of filing of claim petition till payment.

Appeal stands allowed accordingly.

(KULDIP SINGH)
JUDGE

11.4.2019
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Whether speaking / reasoned	Yes
Whether Reportable:	No