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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-3368-2002

Date of decision : 17.7.2019

Laxam Singh

..... Appellant

Versus

Sher Singh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Arun Gupta, Advocate, for,
Mr. N.D. Achint, Advocate,
for appellant.

Mr. Eklavya, Advocate,
for respondent No. 3.

Mr. Lalit Garg, Advocate,
for respondent No. 5.

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KULDIP SINGH J. (ORAL)

Heard.

Laxman Singh, minor, who was student of eight class boarded a jeep bearing registration No. HR-30-A-2688 on 15.9.1997 from village Hamipur for going to his native village. A tanker bearing registration No. HRD-2535 came from opposite direction and hit against jeep. As a result of which, he received injuries on right leg and head.

The evidence on file shows that he remained admitted from the date of accident i.e. 15.9.1997 till 29.10.1997. Tribunal allowed following compensation :-

Medical bills	:	Rs. 1,11,342/-
Future medical treatment	:	Rs. 40,000/-
Attendant charges	:	Rs. 60,000/-
Pain and suffering	:	Rs. 25,000/-
For loss of studies and career	:	Rs. 1,00,000/-

		Rs. 3,36,342/-

Claimant is not satisfied with said compensation and has come up in appeal.

This Court, vide order dated 10.5.2016, directed the appellant to produce disability certificate. No disability certificate was produced on file. In this way, there is no evidence that claimant has suffered any disability. Claimant remained under treatment for various period for four years. For loss of studies and career, Rs. 1,00,000/-, and for pain and suffering, Rs. 25,000/- have been awarded. There is no dispute regarding compensation awarded under remaining heads. Considering for pain and suffering for four years, there is loss of career to some extent. I am of view that under these heads, compensation should be enhanced to adequately compensate the appellant. Accordingly, compensation is enhanced to Rs. 1,00,000/- over and above compensation awarded by Tribunal i.e. Rs. 3,36,342/-. Appeal is allowed.

(KULDIP SINGH)
JUDGE

17.7.2019
sjks

Whether speaking order : Yes

Whether reportable : No