

Sham Lal

.....Appellant

Versus

Jaswant Singh and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Vaibhav Sharma, Advocate for
Mr. Sanjiv Gupta, Advocate
for the appellant.

Mr. Ravinder Arora, Advocate
for the respondent/insurance company.

NIRMALJIT KAUR, J. (ORAL)

The present appeal has been filed for enhancement of compensation as awarded by the Motor Accident Claims Tribunal, Patiala (for short, the Tribunal), vide award dated 14.03.2001, vide which, only an amount of ₹54,541/- has been awarded.

While praying for enhancement of compensation, learned counsel for the appellant submitted that nothing has been awarded towards loss of income, pain and suffering, attendant charges, special diet and transportation.

Learned counsel for the respondent/insurance company while opposing the present appeal submitted that there is no disability and the amount as per entitlement has been paid to the appellant and he is not entitled to any further enhancement.

After hearing learned counsel for the parties, this Court finds that the appellant is not entitled to any amount towards loss of income but

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there is scope of enhancement under the heads i.e. pain and suffering, attendant charges, special diet and transportation. Accordingly, the amount already awarded by the Tribunal is enhanced by further a lump sum amount of ₹25,000/- under the above heads.

Thus, the another amount of ₹25,000/- be paid to the appellant within two months from the receipt of certified copy of this order alongwith 6% interest per annum from the date of filing of claim petition till its realization. In case the said amount is not paid within two months, the same shall be paid thereafter alongwith 12% interest from the expiry of the period of two months.

The appeal is disposed of accordingly.

(NIRMALJIT KAUR)
JUDGE

01.10.2019

sandeep

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No