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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
2019.05.20 15:10
I attest to the accuracy and
authenticity of this document

FAO-574-2001 (O/M)

Date of decision : 17.5.2019

Jai Ram

..... Appellant

Versus

Prem Sagar and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Navjot Kaur, Advocate, for,
Mr. Vishal Gupta, Advocate,
for appellant.

Mr. Vinod Pundir, Advocate, for,
Mr. Satbir Rathore, Advocate,
for respondent No. 1.

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KULDIP SINGH J. (ORAL)

This appeal is directed against award dated 13.6.2000, passed by Motor Accident Claims Tribunal, Ropar, vide which in claim petition filed under Section 163-A of Motor Vehicle Act, compensation to the tune of Rs. 65,000/- was awarded to appellant-claimant on account of injuries received by him in motor vehicle accident.

Short facts, which are required to be noticed, are that appellant-claimant was riding a truck No. PB-12-2101 alongwith Rakesh Kumar (cleaner) when they reached near village Solkhian Gurdwara on Chandigarh Ropar road, a vehicle coming from opposite side, blinded vision of driver Jai Ram on account of high beam, with result that truck hit Tahli tree. As a result of accident, claimant-appellant received multiple injuries. He claimed compensation to the tune of Rs. 50,00,000/- for his treatment.

Before Tribunal, evidence was led that claimant-appellant suffered disability to the extent of 30%. He also produced medical bills Ex.P3 and Ex.P4. Admittedly, medical bills were not proved. Tribunal took income of claimant-appellant to be of daily wages labourer at the rate of Rs. 2,000/- per month. Tribunal, after considering disability and expenses likely to be spent, awarded Rs. 65,000/- as compensation.

Learned proxy counsel appearing for learned counsel for appellant has produced authority of Hon'ble Supreme Court of India in Anant Son of Sidheshwar Dukre Versus Pratap Son of Zhamnnappa Lamzane and another, 2018 (4) RCR (Civil) 124.

Said authority is regarding compensation under Section 166 of Motor Vehicle Act, 1988 and not under Section 163-A of Motor Vehicle Act, 1988.

I am of view that in the absence of medical bills, on account of disability and amount which is likely to be spent, Rs. 65,000/- have been allowed. There is nothing illegal in same. No ground to interfere in impugned award. Appeal is, therefore, dismissed.

(KULDIP SINGH)
JUDGE

17.5.2019
sjks

Whether speaking order	:	Yes / No
Whether reportable	:	Yes / No