

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

FAO No.1407 of 2004

Date of Decision : 21.02.2019

Gurmeet Kaur

....Appellant

V/S

Mrs. Krishna Devi and others

....Respondents

CORAM : HON'BLE MR. JUSTICE B.S. WALIA

Present: Ms. Ekta Thakur, Advocate for the appellants.
Mr. Neeraj Khanna, Advocate for respondent-Insurance Company.
None for the other respondents.

B.S. WALIA, J.

[1] Appeal has been filed seeking enhancement of lump sum compensation of ₹20,000/- awarded by the learned Motor Accidents Claims Tribunal, Chandigarh (hereinafter referred to as 'the Tribunal') on account of injuries suffered by the appellant in an accident on 30.08.2000 and the resultant pain & suffering.

[2] Learned counsel for the appellant contended that the appellant sustained injuries for which she remained admitted in PGI from 30.08.2000 to 06.09.2000 where she incurred expensed of ₹20,000/- to ₹30,000/- on her treatment, therefore, award of lump sum of ₹20,000/- was inadequate and claimed ₹50,000/- on account of pain & suffering, transportation, special diet etc.

[3] The paper book and record of the FAO was destroyed in a fire. The paper book has been re-constructed from the salvaged record.

[4] I have considered the submissions of learned counsel for the appellant, as well as the respondent-Insurance Company in the light of the legal position.

[5] The appellant remained admitted in the PGI from 30.08.2000 till her discharge on 06.09.2000. The appellant was admitted in the PGI under the category of poor free. No evidence was produced on the record to show expenses if any incurred on the treatment, special diet or transportation nor has any evidence been led with regard to permanent disability if any suffered by the appellant.

[6] In the light of the position as noted above, award of ₹20,000/- in lump sum on account of injuries sustained by the appellant and resultant pain & suffering etc does not warrant any interference.

[7] Accordingly, finding no merit in appeal. The same is ***dismissed***.

(B.S. WALIA)
JUDGE

February 21, 2019
'Rajneesh'

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No