

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

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FAO No. 433 of 2005 (O & M)
Date of Decision : 24.5.2019

Parvinder Kaur

.....Appellant

v.

Harvinder Singh and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present : Mr. Madan Pal, Advocate, for the appellant

Mr. Sanjiv Bhatti, Advocate, for respondent No. 3/
Insurance Company

KULDIP SINGH, J. (Oral)

CM No. 24973-CII of 2018 :

Heard.

For the reasons mentioned in the application, the same is allowed.

Main appeal is taken up on board today itself for disposal.

Main Case :

This appeal has been filed against the award passed by the Motor Accidents Claims Tribunal, Karnal (in short 'the Tribunal') on 3.5.2004, vide which Parvinder Kaur-claimant/appellant was awarded compensation to the tune of Rs.2,50,000/- alongwith interest @ 9% per annum.

Heard.

It comes out that claimant/appellant while travelling in a car bearing Registration No. HR-51-H-6201 met with an accident on 16.7.2002.

She was 50 years of age at that time. She was running a firm namely, M/s

Walia and sons, New Delhi. It also comes out that she remained hospitalised for 22 days i.e. from 16.7.2002 to 7.8.2002. The Tribunal awarded Rs.2,25,000/-on account of medical treatment, hospitalisation, transportation, attendance etc. and Rs.25,000/-for pain and suffering and for loss of earning during that period.

Learned counsel for the appellant/claimant contends that no compensation was awarded for loss of income and for attendance.

I am of the view that the claimant remained admitted in the hospital for 22 days and all the charges claimed by her, have been allowed to the tune of Rs.2,25,000/- in the year 2002. The claimant was running the firm and there is no evidence that after the claimant was admitted in the hospital, the firm stopped working. Therefore, no scope for loss of income. For pain and suffering Rs.25,000/-was allowed. Hospitalization was for 22 days only, therefore, there is no scope for enhancement in the compensation awarded by the Tribunal.

The appeal is accordingly dismissed.

(KULDIP SINGH)
JUDGE

24.5.2019

Ashwani

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