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

**IOIN-FAO-2337-2006 in/and
FAO-2337-2006**

Date of Decision: October 24, 2019

Kuldeep (Minor)

.....Appellant

Versus

Raj Pal and others

.....Respondents

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Ms.Monika Singh, Advocate for
Mr.Amit Kumar Jain, Advocate
for the appellant.

Mr.Ravinder Arora, Advocate
for the respondent-Insurance Company.

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NIRMALJIT KAUR, J. (ORAL)

Learned counsel for the respondent-Insurance Company states that respondent No.1 is not a necessary party. Accordingly, service of respondent No.1 may be disposed with. Ordered accordingly.

IOIN stands disposed of.

Main case is taken up on Board today itself.

Learned counsel for the appellant while praying for enhancement submitted that nothing has been granted towards the medical bills. It is stated that though the injury suffered was 5%, but it was a crushed injury suffered by a small child wherein he suffered fracture of both bones. It is not disputed that the appellant had placed on record the bills amounting to ₹55,685/-. It is also not disputed that the appellant remained

admitted in General Hospital, Jind from 09.08.2004 to 04.09.2004 and thereafter he was treated as indoor patient in PGIMS Rohtak for 13 days. In these circumstances, it cannot be said that the said bills were not supported by any prescription. It is shocking that no amount was granted towards the said bills incurred by the appellant on medicine and other expenses being an indoor patient of two Government Hospitals. Accordingly, this Court sees no reason as to why the amount of ₹55,685/- towards the medical bills could not be granted. Further the appellant is also entitled towards 'pain and suffering', 'attendant', 'transport' and 'loss of amenities' to the extent of another amount of ₹25,000/-.

In this manner, the enhanced amount of ₹80,685/- (₹55,685.00 + ₹25,000.00) be paid to the appellant alongwith interest @ 6% per annum from the date of filing of the claim petition in the same terms as held by the Tribunal within two months from the date of receipt of a certified copy of this order. In case the said amount is not deposited within two months from the date of receipt of a copy of this order, the same shall be deposited alongwith interest @ 12% from the expiry of the said two months.

Disposed of accordingly.

October 24, 2019
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**(NIRMALJIT KAUR)
JUDGE**

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|---------------------------------------|---------------|
| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |