

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

202-3

FAO No.1917 of 2009 (O&M)
Date of decision: 17.07.2019

Abhishek Garg

... Appellant

Versus

Rajesh and others

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Ashok Jindal, Advocate for the appellant.
Mr. Pardeep Goyal, Advocate for the insurance company.

REKHA MITTAL, J. (Oral)

Abhishek aged about 10 years is in appeal seeking enhancement of compensation on account of injuries sustained in a motor vehicular accident that took place on 23.09.2007.

The Tribunal awarded Rs.25,672/-, detailed hereunder:-

Reimbursement of medical expenses	Rs.18,672/-
Special diet	Rs.1000/-
Pain and sufferings	Rs.2000/-
Conveyance charges	Rs.2000/-
Loss of earnings	Rs.2000/-

Counsel for the appellant would argue that compensation allowed by the Tribunal for pain and sufferings and conveyance charges is grossly inadequate and needs enhancement. It is further argued that as per testimony of Dr. Vivek Gupta PW2, the claimant sustained various injuries including rupture of urinary bladder and the child remained hospitalised from 23.09.2007 to 02.10.2007. Taking into consideration the nature of injuries sustained by the victim coupled with the period of treatment as an indoor patient and age of the child, he is awarded additional amount of Rs.3000/- for pain and sufferings and attendant charges. The same shall carry interest @ 7.5% per annum from the date of petition till realization.

The appeal is partly allowed in the aforesaid terms.

17.07.2019

ashok

**(REKHA MITTAL)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No