

FAO No.7044 of 2010 (O&M)

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

FAO No.7044 of 2010 (O&M)
Date of decision: 10.07.2019

Bagga Singh

.....Appellant

versus

Jaswant Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Ashish Gupta, Advocate, for the appellant.
Mr. Ravinder Arora, Advocate, for respondent No.3.

RAMENDRA JAIN, J. (ORAL)

Through this appeal, appellant has sought enhancement of compensation over and above compensation of ₹2,85,988/- along with interest @ 7½% per annum awarded by Motor Accident Claims Tribunal, Karnal (in short the 'Tribunal') on account of grievous injuries suffered by him on 07.10.2006 in a motor vehicular accident allegedly caused by respondents No.1 and 2 while driving Swaraj Mazda vehicle bearing registration No.HR-05B-1035.

Heard.

Appellant had produced disability certificate Ex.P1 showing 25% permanent disability suffered by him. Tribunal has not granted any compensation to the appellant towards permanent disability, which in normal circumstances is awarded @ ₹2,000/- per percent. Therefore, taking into account 25% permanent disability suffered by the appellant, he is entitled to compensation of ₹50,000/- towards permanent disability.

I have gone through the impugned award. Under rest of the

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heads appellant had adequately been compensated by the Tribunal. Therefore, no further enhancement is required except ₹50,000/- towards permanent disability over and above the compensation awarded by the Tribunal.

Ordered accordingly.

Respondent No.3 – Insurance Company is directed to deposit aforesaid enhanced amount of ₹50,000/- along with interest @ 7.5% per annum (awarded by the Tribunal) from the date of filing of claim petition till realization, within one month from today, before the learned Tribunal for onward disbursement of the same to the appellant against proper receipt and identification.

In case aforesaid enhanced amount is not deposited within stipulated time, Insurance Company would be liable to pay the same with interest @12% from the date of institution of claim petition till realization.

Disposed of.

(Ramendra Jain)
Judge

July 10, 2019
R.S.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No