

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

**FAO No. 3869 of 2013
Date of decision:- 27.08.2019**

Saurav

...Appellant

Versus

Balinder Singh and ors.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Pankaj Mehta, Advocate for the appellant.

Ms. Shamsheer Kaur, Advocate
for respondent/Insurance Co.

RITU BAHRI J. (Oral)

The present appeal has been preferred by the injured-appellant (for short 'the appellant'), against award dated 21.11.2012 passed by the learned Motor Accident Claims Tribunal, Fatehabad (for short, 'the Tribunal') whereby claim petition filed by the appellant was rejected.

Learned counsel for the appellant is only relying upon disability certificate which he has attached with the application for leading additional evidence. A bare perusal of disability certificate Annexure A-1 shows that the claimant has suffered 04% permanent disability but this certificate does not show the disability is with respect to physical impairment/visual impairment/speech and hearing impairment. It has not mentioned whether the disability is likely to improve or not.

The Tribunal has rightly rejected the claim petition of the appellant, which was filed under Section 163-A of the Motor Vehicles Act, as the appellant has miserably failed to prove that the appellant is suffering from permanent disability.

Keeping in view the above fact, the present appeal is dismissed

being devoid of any merits.

27.08.2019
G Arora

(*RITU BAHRI*)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>