

FAO No. 4232 of 2014
Date of Decision: 15.07.2019

Bifal

.....Appellant

Versus

Ram Bilas and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAURPresent: Mr. Shakti Mehta, Advocate for
Mr. Vikram Bali, Advocate
for the appellant.Mr. Lalit Garg, Advocate
for respondent No.2-Insurance Company.**NIRMALJIT KAUR, J. (ORAL)**

The present appeal has been filed for enhancement of the compensation awarded by the Motor Accident Claims Tribunal, Panchkula (for short, the Tribunal) vide award dated 08.11.2013, on the ground that no amount has been awarded towards the disability, whereas, admittedly the disability was 25%. It is further stated that the amount under the various other heads is also inadequate.

After hearing learned counsel for the parties, this Court is of the opinion that the appellant is entitled to the amount towards the permanent disability. It is also not disputed that the appellant is entitled to the same @ ₹2,000/- per percentage towards disability. The permanent disability being 25%, the appellant is entitled to ₹50,000/- under this head. However, this Court is of the opinion that the appellant otherwise adequately granted compensation towards loss of pain & suffering and loss of amenities as well as for hospitalization, therefore, no enhancement is required under the said

appellant is salaried person, he is continued to get the same and as per the findings returned by the Tribunal, the disability has not come in the way to perform his duty.

Accordingly, the appellant is entitled to another amount of ₹50,000/- over and above the amount already granted. The same be paid alongwith 6% interest per annum from the date of filing of claim petition. In case the said amount is not paid within two months, the same shall be paid with 12% interest from the expiry of the period of two months.

The appeal is disposed of accordingly.

(NIRMALJIT KAUR)
JUDGE

15.07.2019
sandeep

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