

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

-.-

FAO 2823 of 2015 (O&M)
Date of decision : 15.02.2019

Pawan Kumar

.....Appellant

versus

Sukhpreet Singh and others

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present : Mr. Rajpal Singh, Advocate
for the appellant

Mr. Tribhawan Singla, Advocate
for respondents No. 1 and 2

-.-

Rekha Mittal, J. (Oral)

CM 8722-CII of 2015

Prayer in this application is for condoning delay of 76 days in filing the appeal.

Heard.

In view of averments made in the application supported by an affidavit and arguments advanced, the application is allowed and delay of 76 days in filing the appeal stands condoned.

Main case

The claimant is in appeal seeking enhancement of compensation on account of injuries sustained in a motor vehicular accident that took place on 19.04.2013.

The Tribunal has awarded Rs.1,56,000.00, detailed hereunder:-

-Medical expenses

Rs.86,000.00

-Transportation and attendant charges and special diet Rs.20,000.00

-Mental pain and agony Rs.50,000.00

I have gone through the award passed by the Tribunal. The injured was a student of Class X, sustained injuries in the occurrence and was taken to CHC, Assandh. After his medico legal examination, he was referred to PGI but actually shifted to Arvind Bhai Diagnostic Centre Karnal. He remained admitted there upto 02.05.2013 from 19.04.2013 and total period comes to 13 days.

The Tribunal has allowed reimbursement of medical expenses on the basis of bills Ex. P1 to P19. As per statement of Dr.Vineet Bhai (PW2), C.T. Scan showed that the claimant received multiple small contusions with diffused cerebral oedema. The Tribunal has taken a very reasonable and sympathetic view while assessing compensation in the case. I do not find any reason to allow additional compensation in my endeavour to assess just and reasonable compensation, to be paid to the victim.

For the foregoing reasons, the appeal fails and is accordingly dismissed.

(Rekha Mittal)
Judge

15.02.2019
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