

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

211

FAO-3493-2015 (O&M)

Date of decision: 30.08.2019

SUSHMA DEVI

... Appellant

Versus

ANINDI KUMAR YADAV AND ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. RS Mamli, Advocate
for the appellant.

Mr. Rajesh K. Sharma, Advocate
for the insurance company.

REKHA MITTAL, J. (Oral)

The claimant is in appeal seeking enhancement of compensation on account of injuries sustained in a motor vehicular accident that took place on 29.07.2012.

The Tribunal awarded Rs.1,30,000/-, detailed hereunder:-

Reimbursement of medical expenses	Rs.80,000/-
Hospitalisation, attendant charges, special diet, pain and sufferings etc.	Rs.50,000/-

Counsel for the appellant would argue that consolidated amount of Rs.50,000/- under various heads aforesaid is grossly inadequate in view of the fact that victim suffered fracture of right side ribs and pelvis.

Counsel representing the insurance company, on the contrary, would argue that the claimant did not examine doctor of the concerned hospitals to prove nature of injuries and treatment.

The Tribunal has noticed that the victim remained hospitalised in Johal Hospital, Rama Mandi, Jalandhar from 29.7.2012 to 03.08.2012 and from 03.08.2012 to 11.08.2012 in Satyam Hospital, Kapurthala. The photocopy of indoor patient file recorded that she suffered fracture of right side ribs and pelvis. However, it remains a fact that claimant did not examine a doctor to prove exact nature of injuries and treatment. Taking a reasonable and sympathetic view, claimant is awarded additional sum of Rs.20,000/- under various heads like transportation, attendant charges, special diet and pain and sufferings etc. The same shall carry interest

@ 7.5% per annum from the date of petition till realisation.

The appeal is partly allowed in the aforesaid terms.

30.08.2019

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No