

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

FAO No. 6071 of 2014(O&M)

Date of decision: 23.9.2019

Balwinder Singh

.....Appellant

VERSUS

PRTC Ltd. and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. V.K. Kaushal, Advocate for the appellant.

Mr. Karan Singla, Advocate for respondent No.1.

Ms. Madhu Sharma, Advocate for respondent No.3.

REKHA MITTAL, J. (Oral)

The claimant is in appeal seeking enhancement of compensation awarded by the Motor Accidents Claims Tribunal, Amritsar (in short 'the Tribunal') on account of injuries sustained by him in a motor vehicular accident that took place on 12.01.2010.

The Tribunal awarded Rs.46,202/-, detailed hereunder:-

Medical bills	Rs.6202/-
Pain and sufferings	Rs.25,000/-
Special diet	Rs.5000/-
Loss of earning during treatment period	Rs.10,000/-

I have gone through findings of the Tribunal in para 16 of the award but find no justification for allowing additional compensation to the claimant. Rather, the Tribunal has shown magnanimity in awarding a sum of Rs.25,000/- for pain and sufferings and Rs.10,000/- for loss of earning during period of treatment even in absence of any material with regard to

the nature of injuries sustained by the victim or period of his treatment as an indoor patient. In this view of the matter, the appellant cannot assert his right for grant of additional compensation on account of injuries sustained by him.

The appellant also claimed compensation with regard to damage to truck bearing No.HR37-A-2725. The Tribunal has noticed that the appellant is not the registered owner of the vehicle, therefore, cannot sustain claim for compensation in his personal capacity. Counsel for the appellant has failed to successfully assail findings of the Tribunal in this regard. As such, I do not find any reason to differ with findings of the Tribunal in regard to claim for damage to the truck.

For the foregoing reasons, finding no merit, the appeal fails and is accordingly dismissed leaving the parties to bear their own costs.

SEPTEMBER 23, 2019

‘D. Gulati’

Whether speaking/reasoned :

Whether reportable :

(REKHA MITTAL)

JUDGE

yes/no

yes/no