

208-4

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.657 of 2014 (O&M)
Date of Decision: 18.01.2019

GAUTAM

.....Appellant

Vs

M/S G.T. ROADWAYS AND ORS

....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Rajesh Arora, Advocate
for the appellant.

Mr. Sanjiv Pabbi, Advocate
for respondent No.3.

RAJ MOHAN SINGH, J. (Oral)

[1]. This appeal has been preferred by the appellant which relates to the inadequacy of award passed by the Motor Accident Claims Tribunal, Gurgaon (for short 'the Tribunal') towards damage to the vehicle.

[2]. According to the learned counsel for the appellant, the claimant has suffered damage to the tune of Rs.1,57,500/- on account of total damage to the vehicle. The insurance company with which the vehicle was insured has already paid an amount of Rs.44,500/- to the claimant towards loss of damage caused to the vehicle. The value of the vehicle was

assessed at Rs.1,57,500/-.

[3]. No evidence has been led by the appellant in respect of total loss to the vehicle except PW-19, who is neither a mechanic nor an expert, who assessed the exact loss suffered by the claimant on account of alleged total damage to the vehicle. The appellant has also not led any evidence to show what repair/works were done by any mechanic or service agency.

[4]. In my considered view, the appellant should feel contended with the amount of Rs.44,500/- as granted by the insurer of the vehicle towards damage to the vehicle in accident in question. This appeal is consequently dismissed.

January 18, 2019

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No