

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

FAO No.6063 of 2015 (O&M)

Date of Decision.28.11.2019

Suresh

...Appellant

Vs

Balihar Singh and others

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Sonia G. Singh, Advocate
for the appellant.

Mr. S.S. Sidhu, Advocate
for the insurance company.

:-

JAISHREE THAKUR J. (ORAL)

1. This is an appeal that has been filed seeking enhancement of compensation for injuries suffered by the appellant-claimant in a motor vehicular accident that took place on 13.02.2013. According to the appellant, he suffered injuries on his left elbow, right hand, left side of spine and right knee and spent ₹1 lakh on his treatment.

2. In the absence of any documentary evidence regarding expenses incurred on treatment and examination of concerned doctor, the Tribunal, while noting the MLR Ex.P12 which stated that the appellant suffered four injuries, which were not serious in nature, provided ₹10,000/- for pain and suffering and another sum of ₹10,000/- towards expenses incurred by him on treatment, special diet and transportation, in total ₹20,000/-.

3. The factum of accident and the liability is not disputed by the insurance company and the only issue is whether the Tribunal has assessed

the compensation correctly or not.

4. In my view, the Tribunal, in the absence of any evidence on record regarding expenses incurred on treatment and examination of any doctor to corroborate the case as set up by the appellant and particularly noticing the fact that the MLR Ex.P12 shows that the injuries were simple in nature, has rightly assessed the compensation and there is no scope for enhancement.

5. The award passed by the Tribunal is affirmed and the appeal stands dismissed.

(JAISHREE THAKUR)
JUDGE

November 28, 2019

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No