

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

FAO-7214-2015 (O&M)

Date of decision: 18.09.2019

Trilok Chand

..... Appellant

Versus

Naresh Kumar and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. MS Randhawa, Advocate for the appellant.

Mr. Deepak Pareek, Advocate for
Mr. Chanderhass Yadav, Advocate
for respondents No. 1 and 2.

Mr. DK Prajapati, Advocate for
Mr. RS Madan, Advocate
for respondent No. 3-Insurance Company.

RAMENDRA JAIN, J. (ORAL)

Through this appeal, appellant-claimant sought enhancement of compensation modifying impugned Award dated 11.05.2015 of Motor Accident Claims Tribunal, Narnaul (for short-'the Tribunal), awarding him compensation to the tune of ₹1,00,000/- along with interest @ 9% per annum from the date of filing of claim petition till realization, on account of injuries suffered by him, in a motor vehicular accident occurred on 16.04.2014, caused by respondent No. 1, while driving car bearing registration No. HR-35-J-2100, in a rash and negligent manner.

Learned counsel for the appellant *inter alia* contends that

learned Tribunal has failed to appreciate that appellant has suffered permanent disability to the extent of 20%. Compensation awarded by the Tribunal under the heads transportation charges, attendant charges and special diet etc. are on lower side.

Heard.

Considering the overall facts and circumstances of the case, permanent disability suffered by appellant-claimant to the extent of 20% and his hospitalization for 5 days, he is held entitled to an amount of ₹50,000/- more over and above the amount of ₹1,00,000/- awarded by the learned Tribunal, inclusive of interest component.

Respondent No. 3-Insurance Company, through its counsel is directed to deposit the aforesaid enhanced amount of compensation of ₹50,000/- before the learned Tribunal within one month from today, for onward disbursement to the claimant-appellant, in accordance with law against proper receipt and identification.

Disposed of .

September 18, 2019

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No