

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

244

FAO-1502-2017 (O&M)

Date of decision: 14.02.2019

DEEPAK BHALLA

... Appellant

Versus

JASBIR SINGH AND OTHERS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Aayush Gupta, Advocate for the appellant.

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 11.02.2015.

The Tribunal has awarded compensation of Rs.6,00,652/-, detailed hereunder:-

1. Medical expenses	Rs.4,09,652/-
2. Hospitalisation charges	Rs.11,000/-
3. Pain and agony	Rs.40,000/-
4. Special diet	Rs.10,000/-
5. Future treatment	Rs.50,000/-
6. Loss of marriage prospects and amenities of life	Rs.50,000/-
7. Physical disfigurement	Rs.25,000/-
8. Transportation charges	Rs.5000/-

Counsel for the appellant would urge that in view of nature of injuries sustained by the victim coupled with the treatment given on his repeated hospitalisation as deposed by Dr. Gurpreet Singh Goyal PW3, compensation awarded by the Tribunal for pain and sufferings and special diet is on lower side and needs enhancement. It is further argued that the Tribunal has not awarded any compensation for expenses on transportation.

Be that as it may, perusal of findings of the Tribunal would reveal that claimant has been awarded a sum of Rs.50,000/- for future treatment and 50,000/- on account of loss of marriage prospects and amenities of life. There is no evidence on record that the claimant needed further medical intervention in respect of injuries sustained by him. Counsel for the appellant would fairly inform that as per materials on record, there is

no evidence that the injured has suffered disability either permanent or temporary. Keeping in view that the Tribunal has awarded Rs.1,00,000/- for future treatment, loss of marriage prospects and amenities of life without there being any basis for the same, there is no justification for allowing compensation more than what has been allowed by the Tribunal.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine.

14.02.2019

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No