

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

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FAO-2040-2017 (O&M)

Date of decision: 31.01.2019

RAM MEHAR

... Appellant

Versus

PHIRE RAM AND ORS.

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Yash Dev Kaudhik, 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 03.01.2015.

The Tribunal has awarded compensation of Rs.96,434/- on the basis of discussion in paras 16 to 21 of the award.

The sole submission made by counsel for the appellant is that the claimant has not been awarded compensation for special diet and services of an attendant.

Perusal of the award would reveal that the injured remained in hospital from 03.01.2015 to 05.01.2015 and he has been paid sum of Rs.3000/- towards stay in hospital. Besides, he has been awarded a sum of Rs.40,000/- for pain and sufferings and Rs.20,000/- for transportation and other charges. The Tribunal has shown magnanimity in allowing compensation under the heads like pain and sufferings and transportation charges etc. As such, there is no scope for allowing compensation under additional heads, as prayed for.

In view of what has been discussed hereinbefore, finding no merit, the appeal fails and is accordingly dismissed in limine.

No order as to costs.

31.01.2019

ashok

**(REKHA MITTAL)
JUDGE**

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No