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

**FAO No.7911 of 2017
Date of Decision : 22.04.2019**

Jaspreet Kaur

Appellant

Versus

Gurmeet Singh and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Pankaj Katia, Advocate
for the appellant.

AVNEESH JHINGAN, J (Oral)

The award dated 10.07.2017 passed by the Motor Accident Claims Tribunal, Bathinda [for brevity 'the Tribunal'] has been assailed by the claimant seeking enhancement of compensation awarded under Section 166 of the Motor Vehicles Act, 1988 [for brevity 'the Act'].

The facts necessary for adjudication of the present appeal are that on 06.02.2016, Jaspreet Kaur alongwith her parents and brother was travelling in Car bearing registration No. PB-03AG-2032 [hereinafter referred to as 'Car']. The Car was being driven by her father Davinder Singh. When the Car reached near Harike Head after crossing Bangali Wala Canal Bridge, a Canter bearing registration No.PB-04P-9950 [hereinafter referred to as 'offending

vehicle'] struck against the Car. As a result of the impact, Jasapreet Kaur sustained injuries. FIR No.16, dated 16.02.2016 was registered at Police Station Makhu, District Ferozepur.

A claim petition was filed claiming that the claimant was taken to Medicare Hospital, Makhu where she was provided with the first-aid. Thereafter, she was referred to Amandeep Hospital, Amritsar, where she received treatment as an Out-Door patient and spent ₹1,00,000/-. The Coordinator of Amandeep Hospital, Amritsar was examined who deposed that claimant was admitted in the hospital on 06.02.2016 and was discharged on the same day. He proved medical bills Ex.C5 to Ex.C-8. No Doctor was examined to prove the nature of injuries and type of treatment given. The tribunal awarded a sum of ₹81,300/- alongwith interest @ 7.5% per annum. The detail of compensation is as under:-

Sr. No.	Heads	Amount (in ₹)
1.	Medical Charges	51,300/-
2.	Compensation for transportation charges	5,000/-
3.	Compensation for engaging an attendant	5,000/-
4.	Compensation for special diet	10,000/-
5.	Pain and suffering and loss of enjoyment	10,000/-
	Total	81,300/-

Learned counsel for the appellant argues that amounts awarded under various pecuniary and non-pecuniary heads are on the lower side.

The contention raised is not well founded. Neither any temporary or permanent disability has been suffered by the claimant. There was no hospitalization and medical bills were duly reimbursed.

There is no record to prove serious injuries sustained. The Tribunal has awarded compensation under various heads and there is no scope for further enhancement.

The appeal is dismissed.

[AVNEESH JHINGAN]
JUDGE

April 22, 2019

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| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable | : | No |