

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

242

FAO-8612-2017 (O&M)

Date of decision: 16.10.2019

AATIK KHAN

... Appellant

Versus

HAWA SINGH AND OTHERS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Gaurav Jaglan, Advocate for
Mr. Vikram S. Dhakla, Advocate for the appellant.
Mr. Neeraj Khanna, Advocate for the insurance company.

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 24.10.2015.

The Tribunal awarded Rs.1,05,880/-, detailed hereunder:-

Reimbursement of medical expenses	Rs.69,880/-
Hospitalisation	Rs.6000/-
Pain and sufferings	Rs.30,000/-

Counsel for the appellant would argue that the Tribunal has not awarded any compensation for special diet, services of an attendant, transportation and loss of income during period of treatment and recovery.

The Tribunal awarded Rs.6000/- for hospitalisation and the same shall be appropriated towards special diet and transportation. The injured remained hospitalised for a period of five days w.e.f. 24.10.2015 to 29.10.2015. The Tribunal, in para 23 of the award, has noticed that as per copy of discharge summary Ex.P1, claimant was admitted in Sanjiv Bansal Cygnus Hospital, Karnal on 24.10.2015 and treated for fracture superior and inferior pubic Rami left side pneumothorax left side. The Tribunal has shown magnanimity in allowing compensation of Rs.30,000/- for pain and sufferings. However, the Tribunal has not awarded any compensation for loss of earning during the period of treatment and recovery. Taking a cumulative view of the above, the claimant is awarded additional amount of Rs.7500/-, payable with interest @ 7.5% per annum from the date of

petition till realization.

The appeal is partly allowed in the aforesaid terms.

16.10.2019

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No