

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

224

FAO No.243 of 2015 (O&M)

Date of decision: 20.01.2020

PRANSU

... Appellant

Versus

RAVI & ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Anshumaan Dalal, Advocate for the appellant.
None for the respondents.

REKHA MITTAL, J. (Oral)

CM-2880-CII-2019

Heard.

Allowed as prayed for. Affidavit of Mr. Anshumaan Dalal,
Advocate is taken on record, subject to all just exceptions.

CM-676-677-CII-2015

Prayer in these applications is for condonation of delay of 210
days in refiling and 403 days in filing the appeal.

In view of averments made in the applications supported by
affidavits coupled with that provisions of the Motor Vehicles Act, 1988
providing for compensation are benevolent social legislation, applications
are allowed and delay of 210 days in refiling and 403 days in filing the
appeal is condoned subject to the condition that claimant shall forgo interest
for the period of delay, in case compensation is enhanced.

Main Case

The injured is in appeal seeking enhancement of compensation
on account of injuries sustained in a motor vehicular accident that took
place on 01.05.2010.

The Tribunal awarded Rs.60,000/-, detailed hereunder:-

Compensation on account of disability	Rs.20,000/-
Medical treatment, attendant charges, transportation and diet	Rs.40,000/-

The sole submission made by counsel for the appellant is that
Tribunal has not awarded any compensation for loss of amenities of life and
matrimonial prospects on account of disability to the extent of 10%.

There is no representation on behalf of the respondents.

Taking into consideration that injured has suffered 10% permanent disability as per certificate Ex.P12, he is awarded additional amount of Rs.10,000/- for loss of amenities of life and matrimonial prospects, payable with interest @ 7.5% per annum from the date of petition till realization, except for the period of delay of 210 days in refiling and 403 days in filing the appeal.

The appeal is partly allowed in the aforesaid terms.

20.01.2020

(REKHA MITTAL)
JUDGE

ashok

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No