

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

214

FAO-5189-2013 (O&M)

Date of decision: 15.01.2020

RANJIT SINGH

... Appellant

Versus

CHINTU @ PANKAJ AND ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : None for the appellant.
 Mr. Shashikant Gupta, Advocate for respondents No.1 and 2.
 Mr. Rajesh K. Sharma, Advocate for insurance company.

REKHA MITTAL, J. (Oral)

The injured is in appeal seeking enhancement of compensation on account of injuries sustained in a motor vehicular accident that took place on 04.10.2010.

The Tribunal awarded Rs.1,95,000/-, detailed hereunder:-

Reimbursement of medical expenses	Rs.1,10,000/-
Transportation	Rs.5000/-
Attendant charges	Rs.5000/-
Special diet	Rs.5000/-
Pain and sufferings	Rs.15,000/-
Loss of income during treatment	Rs.30,000/-
Compensation qua disability	Rs.25,000/-

The claimant produced treatment record and bills Exs.P1 to P122 and disability certificate Ex.PW4/A. As per the bills, he spent Rs.1,09,000/- approximately for treatment. The Tribunal has reimbursed Rs.1,10,000/- and the same is affirmed.

The injured remained admitted in hospital from 05.10.2010 to 19.10.2010. He was operated on 06.10.2010 qua heel, right foot. He was again operated on 11.10.2011 of LD vascular flap over right foot. The injuries rendered him disable to the extent of 12%. As such, claimant is awarded Rs.25,000/- for pain and sufferings (additional amount Rs.10,000/-).

The injured is a resident of Village Korli, Tehsil Narnaul, District Mohindergarh. He got treatment in a hospital at Jaipur. He is awarded Rs.25,000/- for transportation, attendant and special diet

(additional amount Rs.10,000/-).

The Tribunal has awarded Rs.25,000/- for permanent disability approximately @ Rs.2000/- per percent. As per disability certificate Ex.PW4/A, there is post traumatic mild restricted movement of right ankle with partial loss of stability and as such, compensation for disability allowed by the Tribunal is affirmed. However, claimant shall be entitle to Rs.15,000/- for loss of amenities of life. Compensation for loss of income during the period of treatment and recovery is affirmed.

In view of the above, total compensation is Rs.2,30,000/- and additional amount is Rs.35,000/- (2,30,000 – 1,95,000), payable with interest @ 7.5% per annum from the date of petition till realization.

The appeal is partly allowed in the aforesaid terms.

15.1.2020

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No