

Sandeep Singh Vs. Satnam Singh and another

Present:- Mr. P.S. Jammu, Advocate
for the appellant.

Mr. Punit Jain, Advocate for
Mr. M.B. Jain, Advocate and
Mr. R.C. Kapoor, Advocate with
Ms. Pushpa Bhardwaj, Manager
Mr. Vishal Malhotra, Legal Officer
for New India Assurance Co. Ltd.

Appellant-Sandeep Singh aged about 38 years has filed the present appeal against the award of ₹3,09,000/- passed by the Motor Accident Claims Tribunal, Fatehgarh Sahib dated 04.03.2007 seeking enhancement of compensation on account of the injuries including the fracture on the right leg in a motor vehicular accident that had taken place on 29.03.2016.

Learned counsel for the appellants contends that the appellant, due to the fracture on the right leg, suffered to a larger extent after having admitted twice in the hospital then follow up treatment till upto date. The contention is that fracture has not been united for which a certificate of the said non-union of fracture has already been supplied to the Insurance Company along with recent bills which had been incurred on medicines by the claimant-appellant, on that account of the said non-union, the appellant is virtually on the bed and a meagre amount has been awarded under all the heads i.e. pain and suffering, future loss of income, loss of amenities etc. and as such the enhancement though comes to more than Rs.1,50,000/- but the appellant would be satisfied if another sum of ₹1,20,000/- more, over and above, the amount already awarded by the MACT concerned, is granted to the appellant in full and final satisfaction of the claim in the present appeal.

We dispose of this case with a direction to the Insurance Company to deposit a crossed-cheque in the sum of ₹1,20,000/- (Rupees One lakh twenty thousand only) in the name of appellant-Sandeep Singh son of Jang Singh with the office of the Lok Adalat of the High Court on or before 13.02.2020 failing which the amount will carry 9% interest p.a. from the date of this order till the cheque is deposited with the office of the Lok Adalat. The appellant's counsel/appellant may collect the cheque from the office of the Lok Adalat.

Copy of the order/statement be supplied /sent to the counsel/parties and file be returned to the High Court.

(J.C. Verma)
President

(Arvind Kumar)
Member

09.01.2020
Atul