

S.No.207

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

FAO No.232 of 2016 (O&M)

Date of Decision:19.12.2022

Bharpai

.....Appellant

Vs.

Najme Khasan and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.K. Tripathi, Advocate for the appellant.

Mr. Pardeep Goyal, Advocate for respondent No.3.

DEEPAK GUPTA, J.

This is an appeal by the claimant- injured seeking enhancement.

The compensation of ₹1,60,195/- has been allowed by the learned Tribunal.

It is contended that nothing has been awarded towards attendant charges.

Learned counsel for the Insurance Company conceded this fact.

Considering all the heads, with the consent of counsel for both the parties,

overall compensation is assessed to be ₹2 lacs. Since the respondents were

held liable to pay compensation to the extent of 75% only, as such the total

compensation amount awardable to the injured- appellant- claimant works

out to be ₹1,50,000/-. An amount of ₹1,20,146/- (75% of the assessed

compensation) has already been awarded to the claimant. Therefore, rest of

the amount of ₹29,854/- shall be payable to the appellant alongwith interest

@ 6% per annum from the date of filing of the petition, till actual

realisation. Rest of the conditions of the award shall remain as it is, i.e.

recovery right in favour of the Insurance Company.

Disposed of.

December 19, 2022

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(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No