

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

Reserved on: 23.08.2022
Pronounced on : 08.09.2022

FAO-5387-2014 (O&M)

Master Deepesh Appellant

Versus

Mohd. Arif and others Respondents

FAO-5388-2014 (O&M)

Roshni Appellant

Versus

Mohd. Arif and others Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Argued by : Mr. Sagar Aggarwal, Advocate
for the appellant.

Mr. Sudhir Aggarwal, Advocate
for respondents No.1 and 2 in FAO Nos.5387 and 5388 of 2014

Mr. Sanjiv Pabbi, Advocate
for the insurance company.

Manjari Nehru Kaul, J.

By this common order the above-said appeals are being disposed of as they have arisen out of a common award dated 05.03.2014 passed by the learned Motor Accident Claims Tribunal, Palwal wherein the following compensation was assessed and awarded to the injured-appellants on account of the injuries received by them in the accident which took place on 28.06.2010:

Compensation awarded to Deepesh

<i>Sr. No.</i>	<i>Head</i>	<i>Amount</i>
1	Actual expenses spent on medical treatment	Nil

<i>Sr. No.</i>	<i>Head</i>	<i>Amount</i>
2	For pain and suffering	Rs.1,000/-
3	Transportation, special diet and attendant charges	Rs.1,000/-
4	On account of 3% disability	Rs.7,500/-
	Total compensation	Rs.9,500/-

Compensation awarded to Roshni

<i>Sr. No.</i>	<i>Head</i>	<i>Amount</i>
1	Actual expenses spent on medical treatment	Nil
2	For pain and suffering	Rs.3,000/-
3	Transportation, special diet and attendant charges	Rs.2,000/-
4	Loss of income	Rs.3,000/-
	Total compensation	Rs.8,000/-

On a pointed query put to the learned counsel for the appellant (s) as to how the instant appeals were maintainable in view of the provisions contained in Section 173 of Motor Vehicles Act given that the compensation awarded was less than Rs.10,000/-, he was unable to satisfy this Court qua the same.

In the circumstances, the instant appeal(s) stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

08.09.2022
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No