

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

266-2

**FAO-3525-2017 (O&M)
Date of decision: 30.11.2022**

Sikander

.....Appellant

Versus

Satnam Singh (since deceased)
through his LRs and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sunil Saharan, Advocate
for the appellant.

Ms. Rajni Rohilla, Advocate for
Mr. Ravi Kumar, Advocate
for LRs of respondent No.1.

Mr. Amrinder Singh Sidhu, Advocate and
Mr. Aman Mittal, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

CM-11467-CII-2017

Prayer in the application is for condonation of delay of 352 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and delay of 352 days in filing the appeal is condoned.

FAO-3525-2017

The instant appeal has been filed by the injured claimant to impugn the award dated 09.11.2015 passed by learned Motor Accidents Claims Tribunal, Amritsar (for short, 'the Tribunal') wherein the following compensation was awarded to him on account of the injuries suffered by him in a motor vehicular accident which took place on 29.10.2013, when the appellant was travelling from Batala to Amritsar

in bus bearing registration No.PB-06-E-7409:-

Sr. No.	Head	Amount
1.	Medical expenses on treatment	Rs.50,000/-
2.	Pain and suffering	Rs.5,000/-
3.	Transportation	Rs.5,000/-
4.	Special diet	Rs.5,000/-
5.	Expenses of attendant	Rs.5,000/-
	Total compensation	Rs.70,000/-

The respondents were held jointly and severally liable to pay the amount of compensation to the claimants, along with interest @ 7.5% per annum, from the date of filing of the claim petition till the date of award.

Learned counsel for the appellant submits that the injured was just 36 years of age at the time of the accident in question and was earning approximately Rs.20,000/- per month from his business. Subsequent to the accident in question, the appellant remained hospitalized from 29.10.2013 to 06.11.2013 and even thereafter he was treated by the doctors as an out door patient for the injuries received by him in the accident in question, however, the Tribunal had failed to award just and adequate compensation to him. While inviting the attention of this Court to the compensation awarded, learned counsel has contended that the compensation under the heads of pain and suffering, transportation charges, special diet, in particular, required to be reassessed and enhanced accordingly.

Learned counsel appearing for the respondent-insurance company has vehemently opposed the submissions made by the counsel opposite and has submitted that the compensation awarded was

adequate and reasonable as admittedly the injuries which had been received by the appellant were simple in nature and still further it was also a matter of record that the injured had not suffered any disability either temporary or permanent. It was still further submitted that there was no medical evidence on record from which it could even remotely be inferred that the injured claimant had suffered any grievous injury. A prayer was, therefore, made for dismissal of the instant appeal.

I have heard learned counsel and perused the relevant material on record.

This Court does not find any merit in the submissions made by the learned counsel for the injured claimant that the compensation awarded to him was meagre and inadequate. Admittedly, no evidence much less medical was led qua the nature of injuries suffered by the injured in the accident in question. Learned counsel for the claimant has also not been able to dispute the fact that the injured claimant did not suffer any disability whatsoever. In the circumstances, the compensation awarded vide impugned award comes across as adequate and just which does not warrant any interference of this Court.

Accordingly, the instant appeal is dismissed being devoid of any merit.

30.11.2022

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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