

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO 2461/2018

Date of decision:17.11.2022

Anand Kumar Chauhan

.....Petitioner

Vs.

Bharpur Singh and another

.....Respondents

CORAM HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr.Vishal Goel, Advocate for the injured
 claimant/appellant.

Nidhi Gupta,J.

This appeal has been filed by the injured claimant seeking enhancement of compensation of Rs.80,000/- awarded to him by Motor Accident Claimants Tribunal, Patiala.

Brief facts of the case are that on 31.3.2016 the injured claimant/appellant Anand Kumar Chauhan suffered injuries in a motor vehicular accident that took place due to rash and negligent driving of respondent no.1 while driving Jeep no. DL-3C-9970.

On the basis of evidence and pleadings before it, the learned Tribunal returned the finding that the appellant had suffered injuries in a road side accident due to rash and negligent driving of respondent no.1, and accordingly, learned Tribunal awarded Rs.80,000/- as compensation.

Learned counsel for the appellant states that enhancement is sought *inter alia* on the ground that nothing has been granted by the Tribunal on

account of future treatment, as well as no amounts have been granted for suffering on account of loss of health, loss of prosperous future, loss of good marital relations and loss of good placement in job, especially as claimant-injured is qualified B-Pharmacy. It was further submitted that claimant had suffered three fractures in leg and remained hospitalized for 24 days.

A perusal of the impugned award shows that the learned Tribunal has recorded that no doubt the appellant had remained as indoor patient for 24 days and suffered pain and mental agony, but no disability certificate has been produced by the appellant. Even the medical bills, Ex. C3 to Ex. C20 for a total sum of Rs.24,484/- have not been produced in original, and only photocopies thereof have been placed on record. Claimant, during trial, or even now, has not even been able to explain loss of original bills. It is further recorded that the appellant has not produced any mark sheet or degree/diploma of B-Pharmacy to support his claim.

When confronted with the above findings recorded by the Tribunal, learned counsel for the appellant is not been able to controvert the same, nor has produced any material with the appeal in support of his contentions. Accordingly, I find no merit in this appeal and the same is hereby dismissed.

Pending application(s), if any, also stand disposed of.

17.11.2022

Joshi

Whether speaking/reasoned

Whether reportable

(Nidhi Gupta)

Judge

Yes

Yes/No