

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

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FAO-4886-2018 (O&M)
Date of decision: 22.11.2022

SHAM SINGH

..Appellant (s)

Versus

RAM PAL SINGH AND ANR

..Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Ms. Kamaldeep Kaur, Advocate for
Mr. AS Barnala, Advocate for the appellant.

NIDHI GUPTA, J (Oral)

This is an appeal for enhancement filed by the injured-claimant where the Tribunal has recorded that the claimant had suffered 30% disability. However, as the same is not permanent disability and it will improve with time, accordingly, functional disability was assessed to be 15% and Rs.5,65,618/- was awarded as compensation by the Tribunal.

Learned counsel for the appellant further states that the appellant was in hospital for 7 days and has not been compensated for the surgery he underwent at PGI. However, this contention is belied by the finding of the Tribunal in para 20 wherein it is noted that “however, close perusal of the bills reveals that the bills/receipts Ex.P138, Ex.P180, Ex.P175, Ex.P184 and Ex.P195 are not relating to the claimant. In fact, these are in the name of one Sheela Devi”. It is further recorded that some bills were related to hiring of taxi. Learned counsel states that the injured is 60 years old and is stated to be an agriculturist. However, she is unable to controvert the abovesaid findings.

Accordingly, I have not found any merit in the present appeal and the same is hereby dismissed.

**(NIDHI GUPTA)
JUDGE**

22.11.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No