

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

-:-

**FAO-1208-2007 (O&M)
Reserved on : 13.01.2023
Date of Decision : 24.01.2023**

Jeon Singh

....Appellant

VERSUS

Bhupinder Singh and Others

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Vijay Sharma, Advocate for the appellant.

None for the respondents.

ALKA SARIN, J.

The present appeal has been preferred by the claimant-appellant against the award dated 06.12.2005 passed by the Motor Accident Claims Tribunal, Patiala (hereinafter referred to as the 'Tribunal') being aggrieved by the amount of compensation awarded.

Learned counsel for the claimant-appellant has contended that as per the evidence on the record the claimant-appellant remained admitted in hospital from 18.06.2003 to 23.06.2003. He received a head injury and only an amount of Rs.25,000/- has been awarded.

The respondents (driver and owner of the offending vehicle) refused to accept service and affixation was made and hence they would be deemed to have been served. Nobody has put in appearance on behalf of the respondents.

Heard.

There is no evidence on the record barring the MLR Ex.P1 and the Discharge Slip Ex.P2. In the Discharge Slip Ex.P2 it has been stated that the claimant-appellant, who was 17 years of the age at the time of the accident, remained admitted in hospital from 18.06.2003 to 23.06.2003 on account of head injury. There is no other evidence qua the amount spent during the course of hospitalization.

However, keeping in view the fact that the claimant-appellant remained admitted in hospital from 18.06.2003 to 23.06.2003 and had received head injuries as per the MLR and the Discharge Slip, this Court deems it appropriate to enhance the compensation to Rs.2 lakh. The amount of enhanced compensation shall carry interest @ 6% per annum from the date of filing of the claim petition till the date of realization.

The present appeal is allowed and the award stands modified accordingly. Pending applications, if any, also stand disposed off.

24.01.2023
tripti

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO