

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

103

FAO-5829-2012
Date of decision: 13.07.2023

SUNITA

..Appellant

Versus

RAJENDER & ORS.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Kulwant Singh Dhanora, Advocate
for the appellant.

Mr. Sandeep Goyat, Advocate
for the respondent No.1.

Mr. D.K. Dogra, Advocate
for respondent no.3.

ANIL KSHETARPAL, J(Oral)

1. This appeal has been filed challenging the correctness of the award, passed in the claim petition filed under Section 166 of the Motor Vehicles Act, 1988, by the Motor Accidents Claims Tribunal at Hisar (hereinafter referred to as “the Tribunal”) on 15.05.2012 with regard to the assessment of the amount of compensation. In other words, the involvement of two motorcycles bearing registration No.HR-20L-6509 and HR-20K-5871, respectively, and the correctness of the finding with regard to rash and negligent driving by the driver of the motorcycle bearing registration plate No.HR-20K-5871, are not in dispute.

2. The accident took place on 03.04.2008. The appellant is stated to have suffered grievous injuries which resulted in her hospitalization for a period of 12 days, though, she did not suffer any permanent disability, however, the period of hospitalization of 12 days itself take its toll. The

Tribunal has awarded Rs.21,175/- towards medical expenses. Thus, apart from the medical expenses, Rs.15,000/- has been awarded. Not much evidence in this case is available.

3. Keeping in view the aforesaid facts, lump sum compensation of Rs.50,000/- which includes medical expenses is considered appropriate.

4. The enhanced compensation shall be payable along with the interest at the rate of 7.5% from the date of filing of the claim petition till its realization.

5. Disposed of accordingly.

6. All the pending miscellaneous applications, if any, are also disposed of.

July 13th, 2023

(ANIL KSHETARPAL)
JUDGE

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