

**In the High Court of Punjab and Haryana, at Chandigarh****F.A.O. No. 5539 of 2013 (O&M) And  
Cross Objection No. 32 of 2019****Date of Decision: 29.09.2023**

Pepsu Road Transport Corporation

... Appellant(s)

Versus

Amarjit Kaur and Others

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Anil Kshetarpal.**Present: Mr. Anupam Singla, Advocate  
for the appellant(s).**Anil Kshetarpal, J.**

1. The first appeal against the order as well as the cross-objections filed have come up for final disposal.
2. As per the office report, the respondent No.1 is reported to have died. Notices sent to respondent No.2, 3 and 4 have been received back as served, however, they remain unrepresented.
3. The learned counsel representing the appellant submits that the respondent No.2, 3 and 4 are the legal representatives of the respondent No.1.
4. This appeal is pending for the last ten years. The cross-objections were filed by the claimants for enhancement of the compensation awarded by the Tribunal, through Mr. Rajat Garg, Advocate, who has already died. Hence, notices were issued to the claimants and the service report has already been noted.

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5. Keeping in view the aforesaid facts, this Court has heard the learned counsel representing the appellant (In F.A.O. No. 5539 of 2013). This claim petition was filed on account of the death of late Sh.Amar Chand, aged 62 years, on 29.04.2013 for the injuries suffered by him in an automobile accident, which took place on 07.01.2011. The Tribunal has awarded ₹ 5,00,950/- in the following manner:-

*“Therefore, compensation on the following heads is allowed:-*

- i) Medicals bills including operation charges Rs.2,83,950/-.*
- ii) 39 days of admission including special diet, pain suffering and attendant charges Rs.1,17,000/-.*
- iii) For loss of work till the death of claimant Rs.50,000/-*
- iv) On account of enjoyment of life due to amputation of penis Rs.50,000/-.*

*The total amount of compensation comes to Rs.5,00,950, 8% P.A. interest from the date of filing claim petition i.e. 1.8.2011 till realization is also allowed. The amount of compensation shall be equally shared by all the legal heirs of deceased claimant Amar Chand. The liability of respondents shall be joint and several. This issue is decided in favour of the claimant and against the respondents.*

6. The learned counsel representing the appellant submits that the amount is excessive as late Sh.Amar Chand was 62 years of age and he died nearly two years after the date of accident i.e. 29.04.2013.

7. This Court has considered the submissions. In fact, out of

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reimbursement of the medical bills including the operation charges. The remaining amount has been awarded towards the special diet, pain and suffering, attendant charges, loss of work and amputation of penis.

8. Keeping in view the aforesaid facts, no ground to interfere. Hence, the present appeal as well as the cross-objections are dismissed. However, the claimants shall have the liberty to file an application for revival, if so advised.

9. The miscellaneous application(s) pending, if any, shall stand disposed of.

**(Anil Kshetarpal)**  
**Judge**

**September 29, 2023**  
**“DK”**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No