

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-868-2016 (O&M)

Date of Decision :21.04.2023

Mohan Singh @ Mohan Lal

....Appellant

Versus

Samshad and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Krishan Singh, Advocate for the appellant.

* * *

Harsimran Singh Sethi, J. (Oral)

CM-2414-CII-2016

The present application has been filed for condonation of delay of 40 days in filing the present appeal.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay of 40 days in filing the present appeal is condoned.

CM-2413-CII-2016

Application is allowed as prayed for.

FAO-868-2016

In the present appeal, challenge is to award dated 17.07.2015 passed by the Motor Accident Claims Tribunal, Jagadhri by which, compensation of Rs.1,28,000/- has been awarded in favour of the appellant.

Learned counsel for the appellant argues that no compensation has been given for the loss which the appellant suffered for not being able to cultivate his land during the period when he was being treated for the injuries suffered by him in the accident in question hence, the compensation

is liable to be enhanced.

On being asked to point out the evidence which has been brought on record to show that there was loss suffered by the appellant due to non-cultivation of his land, learned counsel for the appellant has not been able to show any such evidence on record. Rather in para-22 of the impugned award, it has been clearly stated that whatever claim was substantiated by the appellant before the Tribunal, has already been granted to him.

Keeping in view the facts and circumstances noticed hereinbefore especially, that no perversity has been shown in the findings recorded by the tribunal in the award dated 17.07.2015, keeping in view the evidence and facts on record, no interference is called for by this Court and present appeal is accordingly dismissed.

April 21, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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