

FAO-4907-2023 (O&M)

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

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FAO-4907-2023 (O&M)

Decided on : 12.10.2023

The New India Assurance Company Ltd.

. . . Appellant(s)

Versus

Devender and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Rajneesh malhotra, Advocate
for the appellant(s).

SANJAY VASHISTH, J. (Oral)

FAO-16793-CII-2023

I. Prayer in this civil miscellaneous application is for condoning the delay of 10 days in filing the present appeal.

II. After hearing learned counsel for the parties and in view of the grounds mentioned in the application, the delay of 10 days in filing the appeal is hereby condoned.

CM stands disposed of.

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1. Present appeal has been filed by the appellant – Insurance Company, against the award dated 11.05.2023, passed by the learned Motor Accident Claims Tribunal, Sonipat (for brevity, ‘learned Tribunal’), in the injury case.

2. As far as the injury suffered by respondent No.1 (claimant) is concerned, Mr. Rajneesh Malhotra, learned counsel for the appellant – Insurance Company, submits that compensation amount of Rs.1,43,000/- awarded by the learned Tribunal, is on higher side.

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2. However, learned counsel could not give any satisfactory answer to the observation made by learned Tribunal that out of the total compensation amount awarded by learned Tribunal i.e. Rs.1,43,000/-, Rs.85,000/- have been awarded on account of ‘medical bills, attendant charges, special diet & transportation’, and Rs.40,000/- have been awarded for ‘loss & sufferings’, and Rs.18,000/- have been awarded for ‘loss of income’. Even there is no denial by learned counsel for the appellant – Insurance Company that for the injury suffered by respondent No.1 (claimant), he remained hospitalized also.

3. Thus, finding no substance in the submissions addressed by learned counsel for the appellant – Insurance Company, present appeal stands dismissed.

(SANJAY VASHISTH)
JUDGE

October 12, 2023

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*