

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

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**FAO No.190 of 1991
Date of Decision : 13.3.2024**

*Mangla alias Mangal**..... Appellant**versus**Kishan Singh and another**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Nipun Verma, Advocate, for the appellant

TRIBHUVAN DAHIYA J. (ORAL):

The appeal has been filed seeking enhancement of compensation awarded to the appellatnt-claimant by the Motor Accident Claims Tribunal, Bhiwani (for short 'the Tribunal'), vide award dated 2.1.1991.

2. It is apparent on record that, the appellant, who was going in camel cart, was hit by the State Transport bus leading to death of the camel, damage to the cart and injuries to the appellant. Considering the facts of the case as well as evidence brought on record, the Tribunal awarded an amount of ₹7000 on account of fracture of left forearm suffered by the appellant and treatment for the same. An amount of ₹4000 was awarded for the camel, and ₹4000 on account of damage to the cart. In total, an amount of ₹15,000 with interest at the rate of twelve per cent per annum was awarded.

3. Learned counsel for the appellant contends that the amount of compensation is to be enhanced keeping in view the facts and

circumstances of the case.

4. There is no evidence that the appellant suffered any permanent disability on account of the accident. As per the MLR, he only suffered fracture of left forearm which remained under plaster for about six weeks. Adequate compensation on that account has been awarded by the Tribunal. No evidence regarding the amount spent in purchasing the camel has been produced. Looking at the age, the Tribunal assessed camel's worth to be about ₹4000, and awarded the amount as compensation. In the same fashion, compensation for damage to the cart has also been awarded. Keeping in view the facts and circumstances of the case, and the nature of evidence on record, the amount of compensation awarded is justified. No ground is made out to enhance the same.

5. Appeal stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

13.3.2024
Ashwani

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