



FAO-411-1995 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-411-1995 (O&M)

Date of decision :12.11.2024

Dayal Sarup

....Appellant

Versus

Raj Kumar & ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present:- Mr. Maneet Kaushik, Advocate for
Mr. Ashit Malik, Advocate
for the appellant.

None for the respondents.

PANKAJ JAIN, J. (ORAL)

1 Appellant is an injured claimant who has been awarded
compensation of Rs.10,000/- by Motor Accidents Claims Tribunal, Karnal.

2 The only issue is regarding quantum. While granting
compensation to the appellant, Tribunal observed as under :-

*“24. After analyzing the evidence brought on record, this
Tribunal is of considered opinion that Dayal Sarup had not
received any fracture. He had received only three injuries and
all were simple in nature. As far as loosing of his memory is
concerned, it is absolutely not acceptable. Had he been in that
position, the placing of medical record to that effect was very*



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easy. It has been said only by him to bring his case under that category to take the compensation on higher side. It is clear from the statement of Dr. Parmod Garg (PW1) that he remained hospitalized in his hospital for six days.

25. Taking into consideration the nature of the injuries, this Tribunal is of considered opinion that an amount of Rs. 10,000/- (Rs. Ten thousand) would be just and reasonable to be awarded to the applicant on account of his injuries received in this accident. This amount of Rs. 10,000/- includes medication, pain and suffering, period of hospitalization, special diet, attendant, transportation etc. etc. order accordingly. This issue is determined in favour of the applicant and against the respondents.”

3 Claimant only received simple injuries though remained hospitalized for six days. Tribunal granted him Rs.10,000/- in lump sum for his medication, pain and suffering, period of hospitalization, special diet, attendant and transportation.

4 This Court does not deem it appropriate to interfere in the present appeal and the same is ordered to be dismissed.

12.11.2024

Pooja Sharma-I

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No