

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO-982-2013 (O&M)
Date of decision : 14.03.2024

The New India Assurance Company Ltd. ... Appellant(s)

Versus

Balwinder Singh and Another ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. R.C. Gupta, Advocate for the appellant.

Ms. Ravinder Kaur Manaise, Advocate for respondent No.1.

Mr. Vipin Mahajan, Advocate for respondent No.2.

ALKA SARIN, J. (ORAL)

1. The present appeal has been preferred by the appellant-Insurance Company challenging the award dated 18.08.2010 passed by the Motor Accident Claims Tribunal, Gurdaspur and the order dated 18.08.2010 whereby the review application filed by the appellant-Insurance Company was also dismissed.

2. Learned counsel for the appellant-Insurance Company has contended that the bill of Rs.64,000/- submitted by claimant-respondent No.1 had been calculated twice while awarding compensation in the claim petition. It is further the contention of the learned counsel that the bill of Rs.64,000/- was submitted by claimant-respondent No.1 separately and was also included in the consolidated bills of treatment and medicines.

3. *Per contra* the learned counsel for claimant-respondent No.1 has contended that the bills were duly proved by claimant-respondent No.1 and after considering all the bills, the Tribunal had held claimant-respondent No.1 entitled to the compensation of Rs.3,00,000/-.
4. I have heard the learned counsel for the parties.
5. In the present case the Tribunal while awarding the compensation had awarded the same on the basis of the bills produced by claimant-respondent No.1. The argument of the learned counsel for the appellant-Insurance Company that the bill of Rs.64,000/- was given separately and was also included in the consolidated bills of treatment and medicines cannot be accepted as there is nothing on the record to substantiate the said argument.
6. In view of the above, I do not find any merit in the present appeal and the same is accordingly dismissed. Pending applications, if any, also stand disposed off.

14.03.2024
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO