

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

107-A

FAO-6245-2015 (O&M)

Date of Decision: 20.02.2024

RATTAN SINGH

.... Appellant

VERSUS

SURESH DEVI & ORS.

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. J.P. Sharma, Advocate for the appellant.

Mr. Sandeep Kumar Yadav, Advocate
for respondents No.1 and 2.

Mr. Sandeep Suri, Advocate
for respondent No.3-Insurance Company.

ALKA SARIN, J. (ORAL)

1. This is an appeal preferred by the injured claimant-appellant against the award dated 14.05.2015 passed by the Motor Accident Claims Tribunal, Narnaul.

2. Learned counsel for the claimant-appellant would contend that only an amount of Rs.35,000/- has been awarded for the injury suffered by the claimant-appellant.

3. *Per contra*, the learned counsel for respondent No.3-Insurance Company has vehemently argued that sufficient amount has already been awarded as compensation in the present case and that there is no scope of any enhancement. It is further contended that no permanent disability was suffered by the claimant-appellant.

4. Heard.

5. In the present case Rattan Singh who appeared as PW-4 deposed that he had suffered several injuries on his body as well as his left eye was damaged in the accident and after the accident he was taken to Government Hospital from where he was taken to PGIMS, Rohtak. As per the medical record (Ex.PW-5/A, PW-5/B and PW-5/C) the claimant-appellant suffered eye injury and also received sutures on his skull and forehead. The claimant-appellant also remained admitted in hospital from 05.11.2013 to 07.11.2013. Keeping in view the injuries received and the hospitalization, the amount awarded under the head pain and suffering is increased to Rs.50,000/-. The Tribunal has awarded an amount of Rs.20,000/- towards special diet, attendant services and transportation which is maintained.

6. The amount in excess of and over and above the amount awarded by the Tribunal shall also attract interest @ 9 % per annum from the date of filing of the claim petition till the realization of the entire amount.

7. In view of the above discussion, the present appeal is allowed and the award passed by the Tribunal is modified accordingly. Pending applications, if any, also stand disposed off.

20.02.2024
Aman Jain

(ALKA SARIN)
JUDGE

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