



FAO-89-2019 (O&M)

-1-

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

FAO-89-2019 (O&M)

Date of decision: 14.01.2025

UNITED INDIA INSURANCE COMPANY LTD.

...APPELLANT

VERSUS

SMT. ANITA AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Ram Avtar, Advocate for the appellant.

Mr. Vikas Suri, Advocate with
Mr. Derpan Bansal, Advocate for respondent No.1.

Respondents No.2 and 3 proceeded *ex parte*
vide order dated 30.09.2019.

SUVIR SEHGAL, J. (ORAL)

1. By way of present appeal, appellant-Insurance Company has approached this Court assailing award dated 13.09.2018 passed by the Motor Accident Claims Tribunal (for short 'the Tribunal'), Rohtak, whereby compensation of Rs.26,000/- has been awarded to the injured.

2. I have heard learned counsel for the parties and considered their respective submissions, besides examining the requisitioned record.

3. Claimant-respondent No.1 suffered injuries in a motor accident which took place on 04.04.2017 while she was travelling in a Tata Magic Vehicle. An ambulance bearing registration No.HR-55N-4945 being driven rashly and negligently by its driver-respondent No.2 hit Tata Magic vehicle which turned turtle and all the occupants sustained serious injuries. FIR bearing No.129 dated

06.04.2017 was lodged under Sections 279 and 337 of the Indian Penal Code at

**FAO-89-2019 (O&M)****-2-**

Police Station Shivaji Colony, Rohtak on the statement of claimant-respondent No.1. The claimant appeared in the witness box as PW1 and gave the details of the accident. Her version was supported by Sachin-PW2, who was an eye-witness and they produced documents Exhibits P1 to P85. On the basis of the evidence led by the parties, the Tribunal came to the conclusion that the accident took place due to the rash and negligent driving of respondent No.2 and claimant-respondent No.1 and Ajmer Singh (claimant in FAO-90-2019) received multiple injuries. Claimant remained admitted in PGIMS, Rohtak from 04.04.2017 to 05.04.2017 and thereafter, she remained under treatment as an outdoor patient with different hospitals. Medical bills Exhibits-P22 to P40 show that she had incurred medical expenses of Rs.6,163/-. Besides medical expenses, Tribunal awarded her Rs.5000/- each as attendant charges, special diet, transportation, pain and suffering. Tribunal arrived at a figure of Rs.26,000/- as compensation on account of the injuries sustained by the claimant in the accident. There is nothing on record to show that the claimant had suffered any permanent disability. This Court is of the view that the compensation awarded by the claimant is just and adequate and does not call for any interference.

3. Finding no merit in the appeal, the same is dismissed with no order as to costs and the compensation awarded to claimant-respondent no.1 is affirmed.

4. Pending application, if any, stands disposed of.

14.01.2025

*renubala***(SUVIR SEHGAL)****JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No