



**108-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO-2097-2022

Date of Decision: 06.11.2025

JAGSEER RAM

....Appellant

Versus

JASWINDER SINGH AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. P.K.S. Phoolka, Advocate
for the appellant.

Mr. Lalit Garg, Advocate
for the respondent No.3.

Parmod Goyal, J.

Injured/claimant/appellant is aggrieved by award dated 15.12.2021, passed by learned Motor Accident Claims Tribunal, Bathinda (hereinafter referred to as "Tribunal") vide which the amount of compensation of Rs.1,93,373/- has been awarded to the claimant/appellant.

2. As claimant/appellant is aggrieved by quantum of compensation and there is no challenge to finding on issue No.1 regarding rash and negligent driving on the part of respondent No.1, therefore, said issue is not being noted for the sake of brevity.

3. Learned counsel for claimant/appellant has argued that learned Tribunal has erred in quantifying compensation and claimant/appellant was entitled to compensation of Rs.10,00,000/- as prayed for. Learned Tribunal after taking into consideration Ex.C1 to C39 awarded Rs.93,373/- to claimant/appellant on account of medical expenses i.e. hospital charges



and medicines expenses. Apart from medical expenses as proved on record, learned Tribunal had further awarded amount of Rs.40,000/- as lump sum towards conveyance charges, attendant charges and special diet. I do not find any error in the approach of learned Tribunal. The medical expenses have been awarded on the basis of evidence led by claimant/appellant. All the expenses incurred by claimant/appellant which were proved on record were duly granted by learned Tribunal. Therefore, no further enhancement under this head can be granted as there is no evidence available justifying any enhancement.

4. Claimant/appellant has claimed that he had remained hospitalized for 11 days, that initially he was taken to Civil Hospital, Bathinda and remained under treatment at Badyal Multispecialty Hospital and Trauma Centre till 01.02.2018. Claimant/appellant claimed to have suffered fracture on left leg and shoulder and also claimed 30% permanent/functional disability. CW3 Dr. Ajay Gupta had duly noted fracture on the left leg and on upper left arm of claimant/appellant, therefore, keeping in view nature of injuries and amount of Rs.30,000/- towards pain and sufferings was granted.

5. Another amount of Rs.30,000/- was awarded towards loss of income taking claimant/appellant to be unskilled worker having been lost income for four months. Though there was some scope to enhance compensation under the head 'pain and sufferings', however, keeping in view the fact that amount of Rs.40,000/- has been granted as conveyance charges, attendant charges and special diet which appears to be excessive, I



do not find it appropriate to interfere with the award of compensation by learned Tribunal as the net result would be same even if compensation under pain and sufferings is enhanced. No evidence has been led to prove any permanent/functional disability.

6. Therefore, no interference in the impugned award is warranted. Learned Tribunal has rightly held claimant/appellant entitled to compensation of Rs.1,93,373/-. The same is upheld. Appeal is without any merit, hence is dismissed.

06.11.2025
chiranjeev

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No