



FAO-7003-2016 (O&M)

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHFAO- 7003-2016 (O&M)
Date of decision : 02.05.2025

Mr. Vikash Sharma Appellant

versus

Union of India Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. S.R.Chaudhary, Advocate
for the appellant.
(through V.C.)Mr. Amit Arora, Advocate
for the respondent..

PANKAJ JAIN, J. (ORAL)

1 Prayer is for the enhancement of the compensation awarded by the Tribunal to the injured-claimant on account of non-scheduled injuries suffered by him.

2 As per discharge and follow up card issued by PGIMER Chandigarh proved on record as Ex.AW-1/3, the claimant who was sitting in the stairs of the train with feet hanging down was injured which led to surgery. Plastic surgery also had to be performed in order to restore the shape of his feet. Claimant produced medical bills Ex.AW-1/4 which show that a considerable amount was spent upon the medical treatment received by the claimant who was of young age of 20 years at the time he met with an accident. Claimant awarded a lump sum amount of Rs.20,000/- only.

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3 Keeping in view the fact that the claimant remained under treatment for considerable period and also had to spend amount on his medical treatment for which bills were proved, this Court finds that the compensation awarded by the Tribunal needs to be enhanced to Rs.80,000/- i.e. the maximum as per Schedule Rule 3 of the Railway Accidents & Untoward Incidents (Compensation) Rules, 1990.

4 In the considered opinion of this Court, the compensation awarded for schedule/non-scheduled injuries should be apart from the expenses incurred on treatment by the injured-claimants. However, there being no such provision, this Court deems it apt to grant the maximum compensation provided under Rules. The claimant shall also be entitled for interest on the awarded compensation @7% per annum from the date of accident till the date of actual realization.

5 Appeal stands disposed off.

02.05.2025*Pooja Sharma-I***(PANKAJ JAIN)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No