



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

(i) FAO-394-2017 (O&M)

Veena Rani @ Amita Rani
...Appellant

VERSUS

Amit and others
...Respondents

(ii) FAO-1177-2017 (O&M)

Jagan Nath
...Appellant

VERSUS

Amit and others
...Respondents

(iii) FAO-1178-2017 (O&M)

Sujata @ Nirmal
...Appellant

VERSUS

Amit and others
...Respondents

Date of Decision: April 04, 2025

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Rajesh Sethi, Mr.Arun Biriwal and
 Mr.Anshuman Sethi, Advocate for the appellants.

 None for respondents No.1 and 2.

 Mr.Suman Jain, Advocate
 for respondent No.3.

ARCHANA PURI, J.

These are three appeals, filed by the appellants-claimants to

**FAO-394-2017 and connected cases****-2-**

question the adequacy of the compensation awarded to them by learned Motor Accident Claims Tribunal, on account of injuries sustained, in a motor vehicular accident.

The accident had taken place on 09.12.2014.

The appellants-claimants along with one Satish Kumar, were the occupants of car bearing registration No.HR-24S-3030 and the other vehicle involved in the accident was canter bearing registration No.HR-56E-0041, driven by respondent No.1-Amit.

On appraisal of the evidence brought on record, learned Tribunal had concluded about the accident to have taken place, due to rash and negligent driving of the canter and consequently, all the appellants-claimants and other occupant Satish Kumar, had sustained injuries, in the accident in question.

Further, it is pertinent to mention that none of the respondents, upon whom, the liability was fastened to pay the compensation awarded by learned Tribunal, have assailed the findings. In the given circumstances, there is no necessity to further dwell upon these aspects. Be it noted that, it is only the appellants-claimants, who have sought enhancement of the compensation, in the appeals in question.

Learned counsel for the parties heard and also with their able assistance, gone through the evidence, brought on record as well as gone through the written synopsis furnished by learned counsel for the appellants.

At the very outset, it is pertinent to mention that learned Tribunal, while considering the testimonies of the appellants-claimants, namely Veena Rani @ Amita Rani, Sujata @ Nirmal and Jagan Nath as well as other



occupant Satish Kumar and various other witnesses examined and on appraisal of the documentary evidence, brought on record, had granted compensation to the extent of Rs.1,18,217/- to claimant Veena Rani @ Amita Rani, Rs.4,26,509/- to claimant Jagan Nath and Rs.1,54,960/- to claimant Sujata @ Nirmal. The liability was held to be joint and several of the respondents i.e. driver, owner and insurer of the offending vehicle.

While making reference to the evidence, brought on record, learned counsel for the appellants-claimants underscores that learned Tribunal had not considered permanent disability suffered by each of the claimants and impact of the same, as they are unable to perform everyday activities and they require constant support, even, for the confined lives, they have been forced to live after the accident. It is also submitted that the appellants-claimants have become invalid and as such, the compensation awarded by learned Tribunal is miserably on lower side. Various important counts, have also been given amiss.

In fact, it is submitted by learned counsel for the appellants-claimants, more particularly, the claim of claimant-Jagan Nath that the impact of permanent disability, has been considered in a mechanical manner. It had not taken into consideration, the impact of permanent disability, upon the lives of the appellants-claimants, not only relating to their income generating capacity, but also about non-quantifiable implications, on the lives of the appellants-claimants.

Besides the aforesaid, learned counsel for the appellants assiduously submits that looking at the nature of injuries sustained by the appellants, additional medical exigencies were necessitated and expenses were to be

**FAO-394-2017 and connected cases****-4-**

incurred for medical treatment also, in future, which fact has been overlooked by learned Tribunal. It is submitted that compensation awarded is not 'just compensation'. To substantiate his submissions, learned counsel for the appellants-claimants, has placed reliance upon *S.Jagjit Singh vs. Haryana Roadways, 1993(3) RCR (C) 105*, *Arvind Kumar Mishra vs. New India Assurance Co. Ltd. and another, 2010 (4) RCR (C) 917*, *Yadava Kumar vs. The Divisional Mgr. NIA Co. Ltd. & Anr. 2010 (4) RCR (C) 155*, *G.Dhanaskar vs. M.D. Metropolitan Transport Corp. Ltd., 2014(1) RCR (C) 993*, *Raj Kumar vs. Ajay Kumar & Anr., 2011(2) RCR (C) 101*, *Khairunisha & Ors. vs. Subhash @ Punjabi & Ors., 2008(2) MPHT, 259*, *Budh Singh vs. Shri Pritam Singh & Ors., 2011 (2) PLR 567*, *Binay Kumar vs. Riyazuddin Ansari & Ors. 2012(3) AICJ 244*, *Govind Yadav vs. The New India Ins. Co. Ltd., 2011(4) RCR (C) 817*, *Ramchandrappa vs. Manager, Royal Sundaram Alliance Ins., 2011(4) RCR (C) 107*, *Sanjay Kumar vs. Ashok Kumar, 2014(1) RCR (C) 875* and various other case law.

Thus, summing up, learned counsel for the appellants has made a prayer for extensive enhancement of the amounts, so awarded by the Tribunal.

On the other hand, learned counsel for the Insurance Company has refuted the claim of the appellants-claimants, while asserting that no satisfactory evidence has been led to seek compensation, as now impressed upon. Thus, he submits that the appeals sans merit and deserve to be dismissed.

In view of the submissions aforesaid, this Court has also considered the case law, cited by learned counsel for the appellants-



claimants. The binding thread of reasoning given in the case law, as cited by learned counsel for the appellants, is that the compensation awarded should be 'justly' determined. It goes without saying that in the matters of determination of compensation, the Tribunals/Courts are statutorily bound with the responsibility of fixing '**just compensation**'. It is obviously true that determination of 'just' compensation, cannot be equated to a bonanza, but simultaneously, the same should not be a niggardly amount. However, the concept of '**just compensation**' obviously suggest application of fair and equitable principles and reasonable approach, on the part of Tribunals/Courts. This reasonableness, on the part of the Tribunals/Courts must be on larger peripheral fields.

Suffice to make reference to *Smt.Sarla Verma vs. Delhi Transport Corporation and anr., 2009(3) RCR (Civil) 77*, wherein, the Hon'ble Supreme Court held that the 'just' compensation is adequate compensation and the Award must be just that- '**no less and no more**'. The plea of the victim suffering from a cruel twist of fate, when asking for some more, is not extravagant, but it is for seeking appropriate recompense, to negotiate with the unforeseeable and the fortuitous twists, is his/her impaired life. Therefore, while the money awarded by Courts, can hardly redress the actual sufferings of the injured victim (who is deprived of the normal amenities of life and suffers the unease of being a burden on others), the Courts can make a genuine attempt, to help restore the self-dignity of such claimant, by awarding '**just compensation**'.

The Courts should be mindful of the fact that though, the physical disability may be on the lesser count, but the functional disability,



on account of injury sustained, can be on higher side. The extent of economic loss, arising from a disability, may not be always measured in proportions, to the extent of permanent disability. In this regard, suffice to make reference to the apt observations made by the Supreme Court in ***Raj Kumar Vs. Ajay Kumar and Anr., 2011 (1) SCC 343.***

The test for determining the effect of permanent disability, on future earning capacity involves the following 3 steps, as was laid down in ***Raj Kumar's case (supra)*** and reiterated in ***Chanappa Nagappa Muchalagoda vs. Divisional Manager, New India Insurance Company Limited, 2020 (1) SCC 796***, as herein given:-

“13. Ascertainment of the effect of the permanent disability on the actual earning capacity involves three steps. The Tribunal has to first ascertain what activities the claimant could carry on in spite of the permanent disability and what he could not do as a result of the permanent disability (this is also relevant for awarding compensation under the head of loss of amenities of life). The second step is to ascertain his avocation, profession and nature of work before the accident, as also his age. The third step is to find out whether (i) the claimant is totally disabled from earning any kind of livelihood, or (ii) whether in spite of the permanent disability, the claimant could still effectively carry on the activities and functions, which he was earlier carrying on, or (iii) whether he was prevented or restricted from discharging his previous activities and functions, but could carry on some other or lesser scale of activities and functions, so that he continues to earn or can continue to earn his livelihood.”

Thus, the efforts of the Courts must always be, to substantially ameliorate the misery of the claimant and recognize his/her actual needs, by



accounting for the ground realities. However, the measures should be in correct proportion.

In this backdrop, let us firstly consider the claim of injured-Veena Rani @ Amita Rani.

It is the pleaded case of appellant-claimant Veena Rani that in the accident in question, she received grievous injuries, on her person, including multiple fractures, injuries on her right eye, knee, ribs and other injuries on her body, which were explained in her MLR, issued by doctor on duty, in GH Hansi. PW-1 Dr.G.S.Shergill, Medicity Hospital, Sirsa has deposed about admission of Veena Rani, in the hospital on 09.12.2014. He deposed that at the time of admission, she had polytrauma with fracture (L) lateral wall of orbit with drooping of eye lid with fracture of 6th, 7th, 8th ribs on right side. He further deposed about the claimant to have been managed conservatively and she was discharged on 13.12.2014. She was advised to take opinion of neurosurgeon/neurophysician for fracture of left orbit with drooping of eye lid. He proved the discharge summary Ex.P1 and further also deposed that the patient remained under impact of the injuries upto 7-8 months and further deposed about the patient suffering from orbit fracture, due to the impact of the injury, she could not open her left eye lid and as per the medical advice, the said injury was termed to be facial disfiguration. He also deposed that the fracture of ribs cannot be operated and it is life-long pain. The patient remained under pressure and could not lift heavy weight. The patient could not walk fastly and do her regular work.

Besides the aforesaid, PW-6 Dr.B.L.Bagri, Medical Officer, Sarvodya Multispeciality Hospital, Hisar, has also proved the medical expenses and



various other medical bills of Veena Rani.

However, it is significant to note that while considering the medical bills, proved on record Ex.P2, 9, 11, 48 and 53 to 57 (excluding bill Ex.P58 being advance bill and already included in bill Ex.P2), learned Tribunal, awarded an amount of Rs.58,217/-, on the basis of the medical bills. Besides the same, claimant Veena Rani was also held entitled to Rs.20,000/- for hospitalization as well as for pain and suffering and another amount of Rs.20,000/- was awarded for loss of amenities of life, loss of earnings and future income etc. Rs.10,000/- was granted towards 'transportation charges' as well as Rs.10,000/- towards 'special diet' and 'attendant charges'. In this manner, the total compensation awarded to claimant Veena Rani was Rs.1,18,217/-.

However, the compensation aforesaid, do call for re-computation.

So far as, the medical bills are concerned, learned Tribunal had correctly awarded the amount of Rs.58,217/- as medical expenses. The discharge summary of Veena Rani proved as Ex.P1 reveals that she was diagnosed as a case of '**Polytrauma/ # (L) Lateral wall of orbit, with drooping of eye lid # 6th, 7th, 8th ribs on Rt. Side and she was conservatively managed**'. Previously she was managed at G.H. Hansi. It also states about the inability of closing the right eye. The detail of the management of the patient was given and also it was observed that patient is being discharged in stable condition.

Considering the same and also in view of the testimony of PW-1 Dr.G.S.Shergill, it stands amply established that claimant had suffered polytrauma, drooping of eye lid, with fracture of 6th, 7th, 8th ribs on right side



and also, the said doctor stated that the fracture of ribs cannot be operated and it is life-long pain. Besides the same, the patient could not lift heavy weight and also could not walk fast and further, could not do regular work in frequent manner, as she was doing earlier. However, it is necessary to pin point that no disability certificate has been obtained from the Government Hospital.

PW-1 Dr.G.S.Shergill, in cross-examination had stated that none of the three patients have brought disability certificate before him. However, PW-11 Veena Rani, while facing cross-examination, had stated that she had applied to the Civil Hospital, Sirsa, for issuance of disability certificate. The copy of the application is Ex.P116. However, she admitted to be correct that disability certificate was not issued to her and subsequently stated that after the completion of process, she will produce the same. But however, the same has not been produced till date. Why so? The same remained un-answered.

Considering the same, some kind of guess work, ought to be applied for making assessment of the compensation to be awarded to claimant-Veena Rani. Looking at the kind of injuries sustained by her, it is quite obvious that on account of drooping of eye lid, she was not able to open her left eye and on this account, there is bound to be inhibition to participate in the social gatherings and on this count, she is to be compensated. Besides the same, on account of fracture suffered in the ribs, for which, rest is the only solution, it is quite obvious that she require future medical treatment also, from time to time. There is bound to be loss of her services to the household, at least for a period of eight months.



Time and again, it has been held by the Courts that the compensation awarded should be '**just**' and '**reasonable**'. Any mode or method may be adopted for assessing the compensation, but the same, has to be considered, in the background of '**just**' compensation, which is pivotal consideration.

One has to keep in mind that valuable services rendered by the homemaker and the same, in any manner, cannot be computed in terms of money, which is less than the earnings of the unskilled worker. The term '**services**' is required to be given a broad meaning and must be construed while taking into consideration the loss of personal care and attention given by the victim to her family.

Considering the same, beneficial reference is also made to ***Kirti and another v/s Oriental Insurance Company Ltd., 2021(2) SCC 166***, wherein, it was held by the Hon'ble Supreme Court that the effect of inflation, ought to be taken into consideration and the future prospects also, are required to be taken into consideration, on the notional income of the housewife.

Considering the aforesaid, while having realistic approach, the earnings of claimant Veena Rani can conveniently be taken as Rs.7000/- per month. To the said amount, addition on the count of 'future prospects' ought to be made. Considering her age to be 50 years, as per ***National Insurance Company Limited vs. Pranay Sethi and others, 2017(4) RCR (Civil) 1009***, addition of 25% ought to be made, on the count of 'future prospects'. Thus, the loss of services of claimant-Veena Rani is worked upon as $\text{Rs.7000} + 1750 = \text{Rs.8750/-}$ and for eight months, it comes to be



Rs.70,000/-.

It should be noted that various witnesses have been examined to prove bills and the expenditure incurred on purchase of medicines. Considering the same, learned Tribunal had appropriately granted an amount of **Rs.58,217/-**, towards '**medical expenses**'.

During the period of hospitalization and some time thereafter, the claimant must have spent some amount on transportation. Thus, on the count of 'transportation charges', an amount of **Rs.20,000/-** is granted.

Obviously, during the period of treatment and thereafter, the appellant-claimant must have been put on '**special rich diet**', for the healing process. On this count also, another sum of **Rs.30,000/-** is granted.

Looking at the kind of injuries sustained by the appellant-claimant, she must have required constant help for some period of time. Considering the same, even though, she must have been looked after by her family members, but it is quite obvious that his family members ought to have taken care by diverting their own time, from any form of gainful employment, which could have generated some income. Considering the same, on the count of 'attendant charges' an amount of **Rs.30,000/-** is granted.

After the accident, claimant-Veena Rani must have passed through a very traumatic state of mind, considering the physical wreck befallen upon her. Thus, considering the same, on the count of '**pain and suffering**', compensation to the extent of **Rs.1,00,000/-** is granted.

Considering the condition of claimant-Veena Rani, for one reason or the other, recurring medical treatment is inevitable and bearing the



same in mind, on the count of ‘**future medical expenses**’, an amount of **Rs.1,00,000/-** is granted.

Moreover, looking at the kind of injuries sustained by her, it is quite obvious that on account of drooping of eye lid, there is lack of participation in social gatherings and must not be able to enjoy the amenities of life, on account of her inhibitions and restrictive living. Thus, on the count of ‘loss of amenities’, another amount of **Rs.1,00,000/-** is granted.

Thus, in the light of aforesaid, the re-computation of the compensation is made, as herein given:-

1.	Loss of services	Rs.70,000/-
2.	Medical Bills	Rs.58,217/-
3.	Transportation	Rs.20,000/-
4.	Special rich diet	Rs.30,000/-
5.	Attendant charges	Rs.30,000/-
6.	Pain and suffering	Rs.1,00,000/-
7.	Future medical needs	Rs.1,00,000/-
8.	Loss of amenities	Rs.1,00,000/-
	Total	Rs.5,08,217/-

As such, the enhanced compensation, after the deduction of compensation awarded by the Tribunal comes to be **Rs.5,08,217-1,18,217=Rs.3,90,000/-**.

Now, let us consider the case qua appellant-claimant Sujata @ Nirmal. She had also sustained injuries in the accident in question. PW-1 Dr.G.S.Shergill also deposed about admission of said claimant, in the hospital on 09.12.2014. The discharge summary has been proved as Ex.P6. It reveals about the patient to have been diagnosed as ‘**RTA facial injury**



with left ear pinna injury'. She was managed for the said injuries and was discharged in stable condition on 13.12.2014 and the patient was also advised to seek opinion of plastic/cosmetic surgeon. Dr.G.S.Shergill also categorically deposed about the injuries, as mentioned in the discharge summary and further also deposed about advice having given for the plastic/cosmetic surgeon's opinion for further correction of disfigurement of her face and left ear pinna, which was torn in two pieces and primarily repaired at Sarvodya Hospital, Hisar. Even, Dr.B.L.Bagri of Sarvodya Multispeciality Hospital, Hisar, has been examined as PW-6 and he had proved the bills, but however, he did not state about the detail of the injuries suffered and the treatment undergone by the patient.

Anyhow, there is pinna injury and the ear had a tear. Various medical bills of the expenditure incurred, on the treatment were also proved, which were to be extent of Rs.94,960/-.

Learned Tribunal, while making assessment of the compensation, had granted an amount of Rs.94,960/-, on the count of 'medical expenses'. Another amount of Rs.20,000/- was granted for hospitalization as well as for pain and suffering as well as an amount of Rs.20,000/- was granted towards 'loss of amenities of life, loss of earnings and future income etc. Qua the 'transportation charges', an amount of Rs.10,000/- was granted and for 'special diet and attendant charges', consolidated amount of Rs.10,000/- was granted. Thus, in total, the compensation was awarded to the extent of Rs.1,54,960/-.

However, the extent of compensation awarded, definitely calls for re-computation.



Firstly, it is pertinent to mention claimant-Sujata @ Nirmal had appeared in the witness box as PW-9 and her sworn testimony in the form of affidavit is Ex.PW9/A, wherein, she deposed, in consonance with the pleaded case. Even though, Sujata @ Nirmal had categorically pleaded in the claim petition that she was housewife and also she was running coaching centre, but however, so far as, the indulgence of claimant in the tuition work while running a coaching centre is concerned, no evidence, as such, has come on record. It is pertinent to mention that much reliance has been placed upon the income tax return for the assessment year 2014-2015, which is Ex.P114, where the gross total income of the claimant is stated to be Rs.2,13,106/-. However, no sustenance can be drawn from the said income tax return, as the same was filed, at the instance of Sujata @ Nirmal on 17.03.2015 i.e. much after the taking place of the accident. Besides this income tax return, no other income tax return has been brought on record. In the light of the same, the inflated earnings being asserted in this income tax return, as such, cannot be ruled out. Precisely on this account, no reliance is placed upon the same.

It is pertinent to mention that there is facial injury and the left ear pinna injury, which gave tear to the ear in two parts. Even though, it was stated by the doctor that advise was given for the cosmetic surgeon's opinion, but however, nothing as such, is coming on record about such opinion taken. Even, the appellant-claimant has not deposed about having obtained such cosmetic surgeon' opinion. But however, the fact remains that there was some disfigurement on her face. On this account, it is obvious that the claimant must have passed through trauma, on account of her facial



looks having been affected, which is bound to keep her in cocoon and deprive her of various amenities of life. Obviously, on account of injuries sustained, she must have been not in a position to take care of her house and there was loss of services towards the household chores.

As in case of Veena Rani, considering claimant Sujata @ Nirmal, falling in the same age group, the earnings are taken as Rs.7000/- per month, plus 25% enhancement, on the count of ‘future prospects’, which comes to be Rs.8750/- per month and taking loss of services towards household for a period 8 months, the loss of services is worked upon as Rs.70,000/-.

Thus, in the light of the aforesaid, the re-computation of compensation is made, as herein given:-

1.	Loss of services	Rs.70,000/-
2.	Medical Bills	Rs.94,960/-
3.	Transportation	Rs.20,000/-
4.	Special rich diet	Rs.30,000/-
5.	Attendant charges	Rs.30,000/-
6.	Pain and suffering	Rs.50,000/-
7.	Loss of amenities	Rs.1,00,000/-
	Total	Rs.3,94,960/-

As such, the enhanced compensation, after the deduction of compensation awarded by the Tribunal comes to be **Rs.3,94,960-1,54,960=Rs.2,40,000/-**.

Now, let us consider the case qua appellant-claimant Jagan Nath. It is the pleaded case of claimant-Jagan Nath that he was 82 years old at the relevant time and was a Hakim, running a clinic in the name and style



of Dr.Jagan Nath Malhotra and his earnings were Rs.60,000/- per month. It is also the pleaded case of appellant-claimant Jagan Nath that he had sustained multiple injuries on his person, including multiple fractures on his person. While considering the evidence brought on record, learned Tribunal, on the basis of the bills proved in evidence, had granted compensation on this count, to the extent of Rs.3,26,509/-. Taking into consideration the extent of disability to be 32% and also considering the period of hospitalisation, an amount of Rs.50,000/- was granted. Another amount of Rs.30,000/- was granted for loss of amenities of life, loss of earning capacity and future income etc. Besides the same, a consolidated amount of Rs.20,000/- was granted towards 'special diet and attendant charges'. In total, the amount of compensation awarded as Rs.4,26,509/-.

However, weighing the evidence, brought on record, this extent of compensation awarded by learned Tribunal, also calls for re-computation.

Appellant-claimant Jagan Nath himself stepped into witness box as PW-12 and his affidavit is Ex.P12/A, wherein, he has deposed about the injuries sustained by him and also about the disability suffered by him, which was to the extent of 32%. But however, it is the extent of functional disability, which ought to be taken into account, while working upon the compensation, on the basis of the disability suffered. PW-13 Dr.Rohit Duura has also been examined, who has proved the disability certificate, which is Ex.P115. This disability certificate states about the claimant to be diagnosed as a case of "total hip replacement done for right hip C Now (Rt) hip all movements are restricted by 50%". Severe pain, grossly interfering with functions, shortening of one and a half inch of right lower limb and the



disability was assessed to be 32%.

Various documents are coming on record, with regard to the extent of injuries. Ex.P24 is the report, which states about dislocation of hip joint. MRI report of Sarvodya Hospital, relating to the claimant is placed on record. From the documents, coming on record, it is evident that there was fracture of femur and the claimant had also undergone surgery. He had difficulty in walking with the right leg and there was shortening of the leg. Also, it is evident that there was hip replacement, which further finds mention in the disability certificate Ex.P115.

Considering the same, it is quite obvious that besides the actual amount of the medical bills, the claimant ought to be compensated, on various other counts, while taking into consideration the kind of injuries he suffered and more particularly, considering his age. From the documents, it is also evident that he was advised **physiotherapy**.

It is not disputed between the parties that claimant-Jagan Nath was 82 years old, at the relevant time and working as RMP Doctor. Though, he had asserted about his earnings to be Rs.60,000/- per month, but however, income tax return for the year 2014-15 has been proved as Ex.P126, which reveals his income from profession was Rs.1,73,112/-, which can obviously be considered as approximately Rs.15,000/- per month. Even though, learned counsel for the appellant-claimant has made a prayer for application of multiplier of '5' for making assessment of loss of earnings, but however, as per ***Sarla Verma's case (supra)***, no multiplier, as such, is to be applied after the age of 70 years.

But anyhow, the loss of earnings, otherwise, as such, can be taken into



consideration. On account of inevitable consequences of the injuries suffered by the claimant, more particularly, taking into consideration his age, which calls for specialized nursing care, there is bound to be future medical needs, for which, he is to be compensated. Considering the nature of injuries suffered by the claimant, in the accident in question, which made him immobile and changed his life, the appellant-claimant, during his old age, definitely must have passed through difficult transition. Thus, on the count of 'pain and suffering', the claimant is also to be compensated.

He must have been put on highly nutritious diet. At least for a period of one year, he must have been totally crippled. With the kind of hip injury suffered and operation undergone by the claimant, it is quite obvious that the claimant is now in the need of one attendant throughout his life. Thus, making modest estimate, as there was need for 'assisted living', on the count of 'attendant charges', the compensation is quantified as **Rs.3,00,000/-**.

Keeping in view the income tax return, coming on record and proved in evidence, the earnings are taken as Rs.15,000/- per month. At least for a period of one year, the claimant could not have been in a position to carry forward his profession. For this period, taking a clue from income tax return, while taking the earnings as Rs.15,000/- per month, the compensation for one year is worked upon as **Rs.1,80,000/-**.

Considering the condition of claimant-Jagan Nath, throughout his life, recurring medical treatment is inevitable and bearing the same in mind, on the count of '**future medical expenses**', an amount of **Rs.1,00,000/-** is granted.



Thus, on various counts, appellant-claimant Jagan Nath is held entitled to compensation, as herein given:-

1.	Loss of earnings	Rs.1,80,000/-
2.	Medical Bills	Rs.3,26,509/-
3.	Transportation	Rs.50,000/-
4.	Special rich diet	Rs.50,000/-
5.	Attendant charges	Rs.3,00,000/-
6.	Pain and suffering	Rs.2,00,000/-
7.	Future medical needs	Rs.1,00,000/-
	Total	Rs.12,06,509/-

As such, the enhanced compensation, after the deduction of compensation awarded by the Tribunal comes to be **Rs.12,06,509-4,26,509=Rs.7,80,000/-**.

On the enhanced amount of the compensation, as now worked upon in each case, the appellants-claimants shall be entitled to the interest, at the rate of 6% per annum, from the date of filing of the present appeal, till realization of the enhanced amount of compensation.

Accordingly, the impugned Award dated 07.10.2016, stands modified, to the extent, as indicated aforesaid. The residue terms of the Award, as ordered by learned Tribunal, shall remain the same.

With the above observations, all the appeals stand allowed.

April 04, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No