



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

**FAO-5640-2002**

Date of Decision: 02.07.2026

**DHARAM PAL SINGH**

....Appellant

Versus

**DHOOM SINGH & ORS**

...Respondents

**CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL**

Present: Mr. Gurdial Singh Jaswal, Advocate  
for the appellant.

Mr. Paul S. Saini, Advocate  
for respondent No.3-Insurance company.

**PARMOD GOYAL, J. (ORAL)**

Present appeal has been preferred by injured appellant-claimant Dharam Pal Singh being aggrieved by impugned award dated 10.09.2002 passed by learned Motor Accident Claims Tribunal, Ambala (hereinafter referred to as '**Tribunal**') whereby an amount of Rs.2,000/- was awarded on account of injuries suffered by him in motor vehicular accident dated 10.12.1999 caused due to rash and negligent driving of respondent No.1 while driving truck bearing registration No.PNC-8091.

2. Learned Tribunal had awarded following compensation to the injured appellant-claimant:-

|                            |            |
|----------------------------|------------|
| Medical expenses           | Rs.500/-   |
| Pain and sufferings        | Rs.1,000/- |
| Transportation             | Rs.500/-   |
| Total compensation awarded | Rs.2,000/- |

3. Learned Tribunal had rejected the claim of injured appellant-

claimant on account of loss/damage to the tractor. Admittedly, appellant-claimant had claimed that amount of Rs.24,922/- was spent by him on repair of the tractor, vide bills Ex.P3 to Ex.P8. However, learned Tribunal after appreciating the evidence placed on record by injured appellant-claimant concluded that Ex.P3 to Ex.P8 are neither genuine nor connected with the damage suffered by the tractor on account of accident. The learned Tribunal has duly noticed that except for Ex.P3 to Ex.P8 wherein number tractor has not been mentioned, there is no evidence available on record to show that tractor had suffered extensive damage, justifying purchase of parts as made out from Ex.P3 to Ex.P8.

4. Learned counsel for the appellant-claimant has made reference to Ex.P3 to Ex.P8 and has stated that the learned Tribunal has wrongly rejected the bills produced by appellant-claimant as in the bills the name of owner of tractor is clearly mentioned.

5. On consideration, I do not find any error in the conclusion drawn by learned Tribunal that injured appellant-claimant had suffered only minor injuries on account of the accident. Though minor injuries were suffered by injured appellant-claimant, however, the quantum of compensation so awarded is totally inadequate even in case of minor injuries, therefore, the same needs to be enhanced.

6. In the present case, appellant-claimant has succeeded in proving Ex.P3 to Ex.P8 by producing original bills in his name, however, production of bills showing purchase of parts of tractor by itself is not sufficient to grant compensation for loss of damage to the tractor. The extent of damage needs to be proved by appellant-claimant which appellant-claimant in the present case has failed to prove except for his oral assertions that his tractor had

suffered damages and bills Ex.P3 to Ex.P8, no evidence in the shape of mechanical report, report of surveyor or the evidence of person who had repaired the tractor i.e. mechanic, has been led by the appellant-claimant. Therefore, in these circumstances, Ex.P3 to Ex.P8 are of no help to the case of appellant-claimant for quantification of damages to the tractor. However, since the factum of accident stands proved and it is also proved that appellant-claimant, at the time of driving the tractor suffered minor injuries, this fact goes to show that some damage to the tractor must have been occurred on account of accident. Accordingly, taking all the above-noted facts and circumstances as proved by appellant-claimant, it would be appropriate to grant consolidated compensation under all the heads quantified at Rs.15,000/-.

7. Appellant-claimant shall also be entitled to interest @ 7.5% on the enhanced compensation from the date of filing of claim petition till realization. Liability of respondents to pay compensation shall be as per the award.

8. Appeal is accordingly allowed.

9. Pending application(s), if any, is/are disposed of accordingly.

02.07.2026  
*Ravinder*

**(PARMOD GOYAL)**  
**JUDGE**

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