

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

FAO-619-2003

Date of decision: 05.02.2026

Jormal

...Appellant

Versus

Naveen Jain and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTAPresent: Mr. Jamshed Ahmed, Advocate
for the appellants.Mr. Rahul Pathania, Advocate for
Mr. R.C. Kapoor, Advocate
for respondent No.4-Insurance Company.

DEEPAK GUPTA, J. (ORAL)

On account of sustaining injuries in motor vehicular accident, which took place on 12.06.2001, the appellant filed a claim petition under Section 166 of the Motor Vehicles Act seeking compensation from the driver, owner and insurer of the offending vehicle. Learned Tribunal has awarded compensation of Rs.2,20,000/- vide an award dated 08.11.2002 holding all the respondents to be jointly and severally liable to pay the amount along with interest.

2. The only contention as raised by learned counsel for the appellant is that amount under the head of attendant charges has not been paid, though the injured claimant remained hospitalized for a period of two months. It is also pointed out that appellant had sustained 30% permanent disability in the leg and as the appellant was a labourer, so his functional disability was much more than 30%, but only an amount of Rs.50,000/- has been awarded on account of disability/loss of future earning capacity.

3. With the consent of counsel for the respondent-insurance

company, it has been agreed that let the compensation under the head of loss of future income be taken as Rs.1,50,000/- and an amount of Rs.10,000/- be awarded under the head of attendant charges. This way an amount of Rs.1,60,000/- was liable to be paid for future loss of income and attendant charges. An amount of Rs.50,000/- has already been awarded under the head of loss of future income. Therefore, the enhanced amount of compensation works out to be Rs.1,10,000/-.

4. Consequently, with the consent of both the sides, the present appeal is hereby disposed of by granting enhancement of Rs.1,10,000/- to the appellant payable by the respondents along with interest @7.5% from the date of filing of the claim petition till actual realization.

05.02.2026
Yogesh

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No