



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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FAO-3614-2024 (O&M)
Date of decision: 19.01.2026

Subhash Rajput

...Appellant(s)

Vs.

Gurvinder Singh and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Wazir Singh, Advocate
for the appellant.

NIDHI GUPTA, J.

CM-13084-CII-2024

Prayer in this application filed under Section 5 of the Limitation Act is for condonation of delay of 56 days in filing the accompanying appeal.

2. Heard.

3. For the reasons mentioned in the application which is duly supported by an affidavit of the applicant/appellant, the same is allowed and delay of 56 days in filing the appeal is condoned.

FAO-3614-2024 (O&M)

The present appeal has been filed by the injured-claimant seeking enhancement of compensation of Rs.20,000/- awarded by the learned Motor Accident Claims Tribunal, Panipat (for short "the learned Tribunal") vide Award dated 22.02.2024 passed in MACP Case No. 214 dated 30.05.2022 filed under Section 166/140 of the Motor Vehicles Act, 1988.



2. Brief facts of the case are that the Id. Tribunal on the basis of evidence adduced by the parties concluded that the appellant had suffered injuries in a motor vehicular accident that took place on 28.04.2022 at about 07:30 a.m. due to the rash and negligent driving of a Hydra Crane bearing registration No. HR06AP-4334 (hereinafter referred to as “the offending vehicle”) being driven by respondent No.1; owned by respondent No.2; and insured by respondent No.3. The above said compensation was awarded along with interest @ 7.5% per annum. All the respondents were jointly and severally held liable to pay the amount of compensation.

3. Learned counsel for the appellant seeks enhancement of compensation by submitting that in the accident in question, the appellant had suffered fracture of the hip as evident from the X-Ray Report dated 10.05.2022/Ex.P-4. Yet nothing has been awarded for attendant charges or loss of future income. Moreover, appellant has spent about Rs.1 lakh on his medical treatment. It is submitted that therefore, Tribunal was in error in awarding meager amount of Rs.20,000/- to the appellant on account of the injuries suffered by him. It is accordingly prayed that the present Appeal be allowed; and impugned Award be modified and compensation be enhanced to Rs.15 lacs alongwith interest @ 18% per annum.

4. No other argument is raised on behalf of the appellant. I have heard Id. counsel and perused the case file in detail. I find no merit in the submissions made on behalf of the appellant.

5. As per the Claim Petition, the appellant was 65 years of age at time of accident. Although it has been contended by the appellant that in



the accident in question, he had suffered hip fracture; however, as per the MLR Ex.P15, which was proved in evidence, the appellant had received *“Three simple injuries”*. During the course of arguments, appellant has handed over in Court a copy of X-Ray Report dated 10.05.2022/Ex.P-4 as per which appellant has suffered *“Fracture iliac bone and both pubic rami seen”*. The said Report is reproduced as under:-

Ex P4

Date: 10/05/2022

Name : Subhash

X-Ray Hip

Right AP View

Fracture iliac bone and both pubic rami seen

Please consult closely



No. Results may vary due to imaging artifacts, unfeasible anatomy position and technical limitations. In case of suspected discrepancy, suggested further evaluation and correlation with other investigations.

6. A bare perusal of the above X-Ray Report shows that the same does not inspire confidence of this Court as no name of the hospital or that of the Doctor who had prepared the said Report is mentioned therein. Even details of the appellant are not mentioned. Lastly, the said Report is almost 3 weeks after the accident. No explanation has been given by the appellant as to why the said Report was so delayed. In any event, nothing has been brought to the notice of this Court by learned counsel for the appellant to



show that the said X-Ray Report was proved by any Doctor. The 2 only witnesses examined by the claimant side are the appellant as PW1 eyewitness of the accident dated 28.4.2022; and PW2 Mamta/claimant No.1 in the connected Claim Petition No. 213 of 2022.

7. Furthermore, admittedly, appellant has not suffered any permanent disability. The appellant has also not produced any medical bills to prove the alleged expenditure of Rs.1 lakh on medical treatment.

8. In these circumstances, I find no error in the compensation of Rs.20,000/- awarded by the learned Tribunal to the appellant. The present Appeal stands **dismissed**.

9. Pending application(s), if any, also stand(s) disposed of.

19.01.2026
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No