227-3

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-511-2016 (O&M)
Date of Decision : 05.02.2026

Ashok Kumar ... Appellant(s)

Versus

Maha Singh & Ors ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Ms. Bhumika Khatri, Advocate for
Mr. Ram Darshan Yadav, Advocate for the appellant.

Mr. Nitin Gupta, Advocate for respondent No.3.

ALKA SARIN, J. (Oral)

1. The present appeal has been preferred by the claimant-appellant aggrieved by the quantum of compensation awarded by the Motor Accident Claims Tribunal, Narnaul (hereinafter referred to as 'Tribunal'), vide the impugned award dated 30.09.2015 in a motor vehicle accident which occurred on 29.07.2012.

2. Since the factum of the accident is not in dispute, the facts are not being adverted to for the sake of brevity.

3. The Tribunal in the present case had awarded the following compensation :

Sr. No.	Heads	Compensation Awarded
1	Medical Bills	₹29,800/-
2	Pain and suffering	₹10,000/-
3	Loss of income	₹15,000/-
4	Attendant charges/special diet etc.	₹5,000/-
	Total Compensation	₹59,800/-
	Interest	**9% per annum**

4. Learned counsel for the claimant-appellant (injured) would contend that though she does not dispute the amount of compensation of ₹29,800/- awarded by the Tribunal towards medical expenses, however, she would contend that the compensation awarded under the non-pecuniary heads i.e. pain and suffering and attendant charges and special diet etc. is on the lower side inasmuch as the claimant-appellant remained under medical treatment for 2/3 months.

5. *Per contra*, learned counsel appearing on behalf of respondent No.3-Insurance Company would contend that sufficient amount had already been awarded as compensation in the present case and that there is no scope of any enhancement.

6. I have heard the learned counsel for the parties.

7. In the present case, admittedly, the claimant-appellant (injured) was 45 years of age at the time of the accident. The amount of ₹29,800/- awarded by the Tribunal towards medical expenses is not in dispute and the same is accordingly maintained. Further, though the injured-claimant has not suffered any permanent disability, however, the compensation awarded under the non-pecuniary heads, in the opinion of this Court, is on the lower side. The claimant-appellant himself stepped into the witness box as PW4 and proved on record his Medico Legal Report as Ex.P41 regarding the injuries suffered by him in the accident, besides his medical bills as Ex.PW6/B, Ex.PW6/C and Ex.PW6/D for the above said amount of ₹29,800/-. Keeping in view the nature of injuries suffered by the injured-claimant as per his MLR and the fact that he remained admitted in the hospital for his treatment for 2/3 months, this Court deems it appropriate to enhance the non-pecuniary compensation awarded by the Tribunal under the head pain and suffering as

₹50,000/- and that of attendant charges and special diet etc. as ₹35,000/-. The compensation awarded by the Tribunal under the pecuniary head i.e. loss of income, is maintained. Accordingly, the reworked compensation is as under :

Sr. No.	**Heads**	**Compensation Awarded**
1	Medical Bills	₹29,800/-
2	Pain and suffering	₹50,000/-
3	Loss of income	₹20,000/-
4	Attendant charges/special diet etc.	₹35,000/-
	Total Compensation	₹1,34,800/-

8. The amount in excess of and over and above the amount awarded by the Tribunal shall also attract interest @ 7.5% per annum from the date of filing of the claim petition till the realization of the entire amount.

9. In view of the decision by the Hon'ble Supreme Court in **Parminder Singh Vs. Honey Goyal & Ors. [AIR 2025 SC 1713 = 2025 SCC OnLine SC 567]**, after calculation of the enhanced amount, the same be transferred by the Insurance Company in the bank account(s) of the claimant within six weeks from today. The particulars of the bank account(s) alongwith the requisite documents(s) in support thereof shall be furnished by the claimant to the Insurance company within a period of two weeks from the date of this order and needful shall be done by the Insurance Company after verification thereof within four weeks thereafter alongwith up-to-date interest. The compliance shall be reported by the Bank to the Tribunal concerned.

10. In view of the above discussion, the present appeal is allowed and the award passed by the Tribunal stands modified accordingly. Pending applications, if any, also stand disposed off.

05.02.2026
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO