

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.**

FAO No.5553 of 2011 (O&M)

Date of decision: 3.12.2012

Leelu

...Appellant

Versus

Abdul Rasid and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. V.S. Punia, Advocate for the appellant.

Mr. Ashish Gupta, Advocate for respondents No.1 & 2.

Ms. Shamsheer Kaur, Advocate for respondent No.3.

Ms. Sharmila Sharma, Advocate for respondents No.4 & 5.

**Rajan Gupta, J (oral)**

Present appeal has been filed to impugn the award passed by the tribunal at Kaithal.

Learned counsel for the appellant has argued that adequate compensation has not been granted. Compensation on account of medical treatment, special diet etc. have been granted on lower side.

Learned counsel for insurance company has, however, vehemently opposed the plea. She submits that compensation granted is totally in accordance with the parameters laid down.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

An accident occurred on 16<sup>th</sup> August, 2007. Appellant was injured in the accident and had to undergo treatment in various hospital.

On a claim being lodged tribunal came to the conclusion that accident

occurred due to contributory negligence of both the drivers of the offending vehicles. As the appellant had suffered 11% disability, tribunal awarded Rs.11,000/- as compensation. Even transportation and special diet was compensated by payment of Rs.5,000/- each. Another amount of Rs.10,000/- has been awarded for purchase of medicines and Rs.10,000/- for loss of income. I find no infirmity with the award. Appeal is without any merit and is hereby dismissed.

Since appeal is dismissed on merit, application under section 5 of the Limitation for condonation of 85 days delay also does not survive.

**(RAJAN GUPTA)**  
**JUDGE**

12.10.2012  
'rajpal'