

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

F.A.O. No.5606 of 2011 (O&M)

Date of decision: 13.7.2012

Gangadhar Sharma

...Petitioner

Versus

Roshan & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Hari Om Attri, Advocate for the appellant.

Mr. Ravinder Arora, Advocate for respondent No.3.

Rajan Gupta, J.

Claimant has challenged the findings of the Tribunal on the limited question of computation of compensation.

Learned counsel for the appellant contends that the Tribunal assessed the compensation only to the tune of Rs.1,09,000/-. As the appellant had suffered a serious injury and had to undergo physical and mental agony, he was entitled to higher compensation. For the period he remained hospitalized, he was not able to attend to his work which resulted in huge loss.

Learned counsel appearing for respondent No.3 insurance company, however, submits that Tribunal has correctly assessed the compensation. There is no scope for enhancement of same.

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

It appears that accident took place on 4th July, 2009.

Appellant, who was on a two-wheeler scooter was struck by a tractor. He suffered injuries including two fractures and underwent treatment. However, there was no permanent disability.

After taking into account the pain and suffering, expenses on treatment, loss of income and special diet etc., Tribunal awarded a compensation of Rs.1,09,000/- alongwith interest @ 7.5% per annum from the date of filing of petition till realization. Learned counsel has not been able to show how compensation has been wrongly assessed. I am, thus, of the considered view that no interference in the appellate jurisdiction of this court is called for.

Dismissed.

(RAJAN GUPTA)
JUDGE

13.7.2012
'rajpal'