

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

**FAO-1011-1997**

**Date of decision : 04.03.2025**

**DR. NARESH KUMAR ARORA**

....Appellant

Versus

**AVDESH AND ANOTHER**

...Respondents

**CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN**

Present : Mr. Sudhir Aggarwal, Advocate with  
Mr. Ishan Aggarwal, Advocate  
for the appellant.

**PANKAJ JAIN, J. (ORAL)**

Claimant is in appeal aggrieved of award passed by MACT,  
Hisar, dated 18.02.1997.

2. The claimant/appellant received injuries in a motor-vehicular  
accident dated 29.05.1994 and sought compensation by way of present claim  
petition.

3. Tribunal held both the drivers i.e. the claimant as well as  
respondent No.1 to be negligent to the extent of 50% each. While assessing  
compensation, the compensation awarded was determined as under :

“i)	Pain and suffering	: Rs. 30,000/-
ii)	Conveyance	: Rs. 4,000/-
iii)	Attendant charges	: Rs. 5,400/-
iv)	Special died	: Rs. 2000/-

Out of the aforesaid total amount of Rs.41,400/- the  
petitioner is however held entitled to Rs.20,700/- only in view of

my discussion on issue No.1 above regarding his himself also having contributed towards the accident in question.”

4. Keeping in view the fact that no site plan was produced and evidently from the statement of the appellant/claimant also the accident took place head on, no fault can be found with the findings recorded by the Tribunal w.r.t. contributory negligence of the claimant.

5. Coming on the issue of quantum also this Court finds that in view of the fact that there is no permanent disability suffered by the claimant, Tribunal has rightly awarded the compensation.

6. In view of above, finding no merit in the instant appeal, the same is ordered to be dismissed.

**March 04, 2025**

**(Pankaj Jain)**  
**Judge**

**Dpr**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No