



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

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**FAO-6622-2017 (O&M)
Date of decision : 04.02.2025**

Major Singh

..... Appellant

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Ishan Singh Cooner, Advocate
for the appellant.

Mr. Sandeep Singh Mann, Addl. A.G., Haryana.

Mr. Sehaj Mahajan, Advocate for
Mr. R.K. Bashambo, Advocate
for the respondent.

PANKAJ JAIN, J. (Oral)

CM-21505-CII-2017

This is an application for condonation of delay of 46 days
in filing the appeal.

For the reasons mentioned in the application, the same is
allowed. Delay of 46 days in filing the appeal stands condoned.

Main case

1. Claimant is in appeal seeking enhancement of
compensation for the injuries suffered by him in a motor vehicular
accident dated 20.07.2015. The short issue involved is regarding
quantum of compensation.

2. Claimant was 39 years of age at the time of accident. He
claims to be earning Rs.40,000/- per month from dairy farm maintained



by him. In the absence of there being any evidence to prove the same, Tribunal has taken notified wages @ Rs.10,200/- per month. The claimant remained hospitalized from 21.07.2015 till 27.07.2015 for having suffered grievous injuries including fracture of both ribs and left leg.

3. In the considered opinion of this Court, the Tribunal erred in granting him loss of income only for 07 days. A person who remained hospitalized for 07 days is not expected to have suffered loss of income only for 07 days as merely being discharged from the hospital will not more make him physically capable of joining his work on the very next date. He is granted loss of income for a month i.e. Rs.10,200/- per month. Attendant charges are also enhanced for Rs.5,000/- to Rs.10,000/-. Diet and nutrition charges are enhanced from Rs.5,000/- to Rs.10,000/-. Medical expenses of Rs.1,13,109.28/- have been paid on actual basis that needs no modification. Transport charges of Rs.20,000/- is maintained. The amount payable under the head of pain and suffering also needs to be enhanced from Rs.25,000/- to Rs.50,000/-.

4. With the aforesaid modification, the appeal is disposed off.

(PANKAJ JAIN)
JUDGE

04.02.2025

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No