



FAO-4244-2007 (O&M)

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

**FAO-4244-2007 (O&M)
Reserved on: 28.02.2025
Pronounced on: 06.03.2025**

Gulab Singh

.....Appellant

Vs.

Jasmer Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Sukhdev Singh and Mr. Aashish Gupta, Advocates
for the appellant.

Mr. Vinod Gupta, Advocate
for the respondent-Insurance Co.

SUDEEPTI SHARMA J.

1. The present appeal has been preferred against the award dated 23.07.2007, passed in the claim petition bearing MACT No. 33-2007 filed under Section 163-A of the Motor Vehicles Act, 1988 passed by learned Motor Accident Claims Tribunal (FTC), Karnal (for short, 'the Tribunal') seeking enhancement of the compensation, on account of the damage caused to the motorcycle of the appellant bearing registration No. HR-05-Q-6570 in a motor vehicular accident, occurred on 22.10.2005.

2. At the very outset, learned counsel for the appellant contends that the compensation granted to the appellant on account of the damage caused to his motorcycle in the above accident, is on the lower side and deserves to be enhanced, since in his claim petition, he stated that he spent an amount of Rs.10,000/- on account of repair of his vehicle and transportation etc and accordingly, he claimed compensation to the tune of Rs.40,000/-.

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3. Per contra, learned counsel for respondent-Insurance Company contends that award has rightly been passed and the amount of compensation as assessed by the learned Tribunal has rightly been granted. He, thus prays for dismissal of the appeal.

4. I have heard learned counsel for the parties and perused the whole record of this case.

5. A bare perusal of the record shows that in the present case, the appellant has placed on record copy of bills Ex PW4/A to PW4/D for the repair of his vehicle amounting to Rs.7285/-. The learned Tribunal after deduction 10% of the depreciation value of the parts, awarded compensation to the tune of Rs.6500/-.

6. The learned Tribunal after taking into consideration the bill Ex PW/A to Ex PW4/D has rightly awarded the compensation to the appellant to the tune of Rs.6500/- on account of repair charges of the motorcycle.

7. In view of the above facts and circumstances of the present case, I do not find any infirmity in the award dated 23.07.2007 passed by learned Tribunal and the same is upheld.

8. Consequently, the present appeal is **dismissed** being devoid of any merit.

9. Further Insurance Company is directed to disburse the current schedule fees to Mr. Vinod Gupta, Advocate, within a period of twenty days from the date of receipt of certified copy of this judgment.

10. Pending applications, if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

06.03.2025
Gaurav Arora

Whether speaking/non-speaking : Speaking
Whether reportable : Yes