

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****230****FAO-5931-2018 (O&M)  
Date of decision: 07.07.2025****Surender****...Appellant(s)****Vs.****Sandeep and others****...Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Amardeep Hooda, Advocate for the appellant.

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**NIDHI GUPTA, J.**

The present appeal has been filed by the injured-claimant seeking enhancement of compensation of Rs.1,89,169/- awarded by the learned Motor Accident Claims Tribunal, Rohtak (for short "the learned Tribunal") vide Award dated 18.04.2018 passed in MACT Case No. 99 dated 27.11.2017 filed under Section 166 of the Motor Vehicles Act, 1988. The above said compensation was awarded along with interest @ 7.5% per annum. All the respondents were held jointly and severally liable to pay the amount of compensation.

2. Brief facts of the case are that the learned Tribunal on the basis of evidence adduced by the parties concluded that the appellant/injured-claimant had suffered injuries in a motor vehicular accident that took place on 10.04.2017 due to the rash and negligent driving of a Car bearing registration No. HR-12-V-3740 (hereinafter



referred to as “the offending vehicle”) being driven by respondent No.1; owned by respondent No.2; and insured by respondent No.3.

3. Learned counsel for the appellant seeks enhancement of compensation on the ground that the learned Tribunal has awarded nothing by way of loss of amenities; and even nothing has been awarded towards attendant charges. Thus, the impugned Award is highly illegal and unjust. Even in the other heads, meagre amount has been awarded to the appellant. It is accordingly prayed that the impugned Award be modified; and compensation awarded to the appellant be enhanced to the tune of Rs.20 lacs as claimed in the main claim petition.

4. No other argument is raised on behalf of the appellant.

5. I have heard learned counsel for the appellant/claimant and perused the case file in great detail.

6. Perusal of the record of the case indicates that it was the pleaded case of the appellant before the learned Tribunal that he was an employee of the Haryana Government. After the accident, he was got admitted at Post Graduate Institute of Medical Science, Rohtak from where he was shifted to Medanta Medicity Hospital, Gurgaon on 11.4.2017 for better treatment and he was operated on 14.4.2017 and after treatment, he was discharged on 20.4.2017. Even thereafter the appellant remained under treatment and confined to bed and was not in a position to do any work. The appellant claimed to have spent an amount of Rs.7,00,000/- on his treatment, medicine, consultation fee, special diet



and transportation etc. He has suffered permanent disability. He has also suffered severe pain due to the injuries sustained in the said accident.

7. The record reveals that the appellant had produced medical bills Exhibits P2, P3 and Mark C to Mark G for a total amount of Rs.5,48,998/-. However, the appellant had received Rs.4,39,829/- as reimbursement for medical expenditure. Ld. Tribunal had accordingly awarded sum of Rs.1,09,169/- towards the remaining medical expenses.

8. In the accident in question, the appellant suffered fracture of both bones in the left leg. As per the disability certificate Ex.P5, the appellant has suffered 15% functional loco motor disability. Learned Tribunal had accordingly awarded Rs.30,000/- as compensation towards the disability. Learned Tribunal had further awarded Rs.20,000/- on account of pain and suffering; and a further sum of Rs.30,000/- towards special diet, transportation and loss of income due to hospitalization etc.; thereby granting total compensation of Rs.1,89,169/-. Admittedly, appellant had suffered no loss of income as he was employee of the Haryana Government.

9. It has been contended by learned counsel for the appellant that nothing has been awarded towards loss of amenities and attendant charges. Even on repeated Court queries, learned counsel for the appellant has not been able to point out as to what loss of amenity has been suffered by the appellant. Learned counsel has further admitted that nothing has been placed on record to show that any attendant was employed by the appellant; and admittedly, no evidence has been brought



on record to show that any expenditure has been incurred towards attendant facility.

10. In view of the above, no ground is made out to interfere in the impugned Award dated 18.04.2018. The present appeal stands **dismissed**.

11. Pending application(s) if any also stand(s) disposed of.

**07.07.2025**

Divyanshi

**(NIDHI GUPTA)  
JUDGE**

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No