
(2011) 02 P&H CK 0399
In the Punjab And Haryana At Chandigarh
Case No : FAO No. 1396 of 1992

Baldev Krishan

APPELLANT

Vs

Gurmail Singh etc.

RESPONDENT

Date of Decision : 17-02-2011

Acts Referred:

Citation : (2011) 02 P&H CK 0399

Hon'ble Judges : K. Kannan, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

K. Kannan, J.—The appeal is for enhancement of claim of compensation for the injuries suffered in an accident. AW-2 Dr. J.S. Sandhu spoke with reference to the entries in MLR that showed that the claimant had several injuries, out of which injuries No. 1 to 3 were declared simple, while injury No. 5 was got under observation and injuries No. 7 and 9 were required to be seen after x-ray. The Doctor himself admitted that he had not kept the patient under observation and he did not know whether he came subsequently. With such a poor quality of evidence coming from the Petitioner's side and no proof of any grievous injuries, the Tribunal had awarded Rs. 500/-.

2. In appeal, the notice had been ordered on the plea by the FAO No. 1396 of 1992 -2 Appellant that the Petitioner was under treatment for a period of 2 months and suffered permanent disability. It is not seen from the judgment or the evidence of witnesses that there was any permanent disability. The award itself had been made only against the owner of the vehicle which was involved in the accident and the insurance company had been exonerated.

3. Even in the grounds of appeal, I do not find any reference to a plea that the insurance company must have been made liable. There is no representation for the Appellant today and I examined the case only with reference to what is contained in the award of the Tribunal, with the assistance of the counsel for the

insurance company. I see no cause for any enhancement with the poor quality of evidence to support the Petitioner's claim for enhancement.

4. The award is confirmed and the appeal is dismissed.