
(2016) 08 P&H CK 0137
In the Punjab And Haryana At Chandigarh
Case No : FAO No. 2899 of 2002

Ramandeep

APPELLANT

Vs

Karamjit Singh

RESPONDENT

Date of Decision : 22-08-2016

Acts Referred:

Motor Vehicles Act, 1988 — Section 166

Citation : (2017) 1 PLR 860

Hon'ble Judges : Mr. Darshan Singh, J.

Bench : Single Bench

Advocate : Mr. Naveen Sharma, Advocate, for the Appellant; Mr. Neeraj Khanna for Mr. Ravinder Arora, Advocates, for the Respondent No.3

Final Decision : Dismissed

Judgement

Mr. Darshan Singh, J.—The present appeal has been preferred by the injured claimant Ramandeep against the award dated 06.02.2002 passed by learned Motor Accidents Claims Tribunal, Rupnagar (hereinafter called the "Tribunal"), vide which he has been awarded compensation to the tune of Rs.20,000/- on account of the injuries suffered by him in the motor vehicular accident which took place on 18.07.1996. The appellant had filed the claim petition under Section 163-A of the Motor Vehicles Act, 1988.

2. The present appeal has been preferred by the appellant-claimant for the enhancement of the amount of compensation.

3. I have heard learned counsel for the parties and gone through the paper-book meticulously.

4. Learned counsel for the appellant contended that the appellant has suffered the jaw injury. He has also suffered the permanent disability to the extent of 65% with respect to the Naso Facial. Thus, he contended that the compensation awarded by the learned Tribunal is highly inadequate.

5. On the other hand, learned counsel for the respondent-Insurance Company contended that the disability certificate was not proved as the claimant has not examined the doctor who had issued the said disability certificate. The claimant has not produced any medical evidence. He has also not placed on record any cash memo or bill for the purchase of the medicine. Even then the learned Tribunal has awarded Rs.20,000/- as compensation. Thus, he contended that for the lack of evidence, the claimant is not entitled for any enhancement.

6. I have duly considered the aforesaid contentions.

7. In his evidence the claimant has himself stepped into the witness box as PW1 and has tendered in evidence documents Ex.P1 to Ex.P4. The claimant has alleged that he has suffered 65% disability with regard to his Naso Facial but he has not examined the doctor of the Medical Board, who has issued the disability certificate Ex.P1. So, the disability certificate Ex.P1 was not proved in accordance with law by the claimant and has rightly been discarded by the learned Tribunal.

8. The claimant has also not brought on file any cash memo or bill for the purchase of the medicines. He has also not examined the doctor from whom he has received the treatment. So, no fault can be found with the compensation awarded by the learned Tribunal.

9. Thus, I do not find any ground to interfere with the impugned award passed by the learned Tribunal.

10. Consequently, the present appeal is without any merit and the same is hereby dismissed.