

S.B. Civil Misc. Appeal No.838/2005
Bhanwarlal vs. Prakash Chandra and others.

Date : 30.8.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. S Saruparia, for the appellant.

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Heard Learned counsel for the appellant.

The appellant submitted claim petition claiming compensation from the respondents on account of the injury which he suffered in the accident which occurred on 20.1.2003 by rash and negligent driving of jeep no.RJ 22/P 1293 by the respondent driver of the vehicle. The Tribunal awarded compensation in total of Rs.82,200/-.

The grievance of the appellant is that the compensation awarded is too low. The appellant in this appeal valued the appeal for compensation of Rs.20 Lakhs.

According to Learned counsel for the appellant, the appellant suffered serious injury in the hip bone and he incurred expenditure of Rs.30,000/- for treatment and he also produced the bills for that expenditure. The appellant also suffered 15% permanent disablement, therefore, the Tribunal should have awarded the compensation to the claimant as claimed by him.

I have considered the submissions of learned counsel

for the appellant.

It is clear from the facts of the case that the appellant suffered one fracture in his leg near Hip Joint and one bone dislocation. He remained in hospital for 20 days and his disability has been certified to be 15%. The appellant has been awarded compensation for all amounts which he spent for his treatment. Apart from it, he has been awarded compensation for simple injury on account of loss of income for one month, for future pain and sufferings etc. In view of the above, the appellant has been awarded compensation of Rs.25,000/- against his permanent disablement and Rs.15,000/- for pain and sufferings.

I do not find any ground to challenge such a determination for assessment of the compensation by the Tribunal.

Accordingly, this appeal, having no merit, is hereby dismissed.

(PRAKASH TATIA), J.
S.Phophaliya