

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

FAO No. 4543 of 2006 (O&M)

Date of decision : 29.9.2006

New India Assurance Co.Ltd.

....Appellant

Versus

Smt. Chander Luthra & others

...Respondents

CORAM : HON'BLE MR.JUSTICE UMA NATH SINGH
HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.N.K.Khosla, Advocate
for the appellant.

...

MAHESH GROVER, J.(Oral)

Delay in re-filing the appeal is condoned.

This appeal has been filed by the insurance company against the award of the Motor Accident Claims Tribunal (Adhoc)-cum-Presiding Officer, Fast Track Court No.III, Faridabad, dated 20.3.2006.

The appellant has assailed the awarding of compensation of Rs.55,000/- to the claimant on account of injuries sustained by her in a motor vehicular accident said to have taken place on 22.11.2001.

The claimant in this case suffered fractures of right hip, right leg and right arm and fracture of neck femur. The Tribunal awarded a sum of Rs.55,000/- under various heads for the injuries suffered by the claimant.

The appellant has challenged the award on the quantum of the compensation awarded to the claimant by saying that it is

excessive. We are unable to agree with the learned counsel for the appellant as keeping in view the number and nature of injuries suffered by the claimant and 9 per cent permanent disability, the award of Rs.55,000/- can hardly be termed to be excessive.

There is thus no infirmity in the award of the Tribunal and the appeal being devoid of any merit is dismissed as such.

(MAHESH GROVER)
JUDGE

29.9.2006

(UMA NATH SINGH)
JUDGE

dss