

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JAI PUR BENCH JAI PUR

Order

S. B. CIVIL MIS. APPEAL NO. 564/2006  
RAM SINGH V. ISHPAL SINGH AND OTHERS

DATE OF ORDER : : : : : OCTOBER 31, 2006

PRESENT

HON'BLE MR. JUSTICE PREM SHANKER ASOPA

Mr. S. Jain, for the appellants

This appeal for enhancement of the compensation has been filed by the claimant, challenging the Award dated 08.11.2005 passed by the Judge, Motor Accident Claims Tribunal, Ajmer in Claim Petition No.443/2004 whereby compensation amounting to Rs.56,335/- has been awarded.

The facts of the case, in brief, are that on 30.3.2004 the claimant was going in a Maruti Van from Ajmer to Kota, and when he reached near Lagdariya Bheruji at Kota Road, suddenly a truck bearing No. RJ-33-G-872 dashed the Maruti van, as a result whereof, the appellant suffered injuries.

Submission of the learned counsel for the appellant is that on account of 6% permanent disability suffered by the appellant, he was forced to take voluntary retirement.

I have heard learned counsel for the appellant and perused the impugned Award and further considered the submission of learned counsel for the appellant.

In the entire Award, there is no mention of the fact that the doctor has declared the claimant-appellant unfit for service.

In the above facts and circumstances, I am of the view that the compensation awarded by the Tribunal is just, legal and proper and no interference is called for in this appeal.

The appeal is, therefore, dismissed.

(PREM SHANKER ASOPA), J.

GOPAL