

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

ORDER

IN

S. B. Civil Misc. Appeal No. 205/2010

Satish Vs. Sujan Singh and Others

Date of Order :: 31.10.2011

Present

Hon'ble Mr. Justice Mohammad Rafiq

Shri Kailash Kumawat for  
Shri Virendra Singh Choudhary, counsel for  
appellant

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By the Court:-

Claimant-appellant has filed this appeal  
being aggrieved by award dated 21.10.2009 of Motor  
Accident Claims Tribunal (Additional District &  
Sessions Judge, Fast Track No. 1), Bharatpur, in MAC  
Case No. 85/2009, whereby learned Tribunal awarded  
compensation of Rs. 15,100/- in favour of appellant  
against a claim of Rs. 10,43,000/-.

Contention of learned counsel for appellant  
is that a very meager sum has been awarded by  
learned Tribunal in favour of appellant as  
compensation though learned Tribunal has held that  
the accident took place due to rash and negligent  
driving of respondent driver and on account of  
which he sustained fracture in his left leg and  
after operation a rod was shifted in the leg. The  
appellant at the relevant time was 27 years of age  
and earning Rs. 6000/- per month and, on account of  
the fracture sustained by him, he could not perform

his work for about one year. It is therefore prayed the appeal may be allowed and amount of compensation may be suitably enhanced.

Having heard learned counsel for appellant and perused material on record, I am of the view that Learned Tribunal has rightly awarded the compensation of Rs. 15,100/-. The claimant-appellant failed to prove how much permanent disability he suffered due to the fracture. Learned Tribunal has held that appellant has not suffered any permanent disability. The appellant suffered two injuries in the accident, out of which one was simple injury and another injury was of grievous nature. Learned Tribunal has rightly awarded Rs. 5000/- for the grievous injury and Rs. 1000/- for simple injury. It has also awarded Rs. 3000/- under the head of physical pains and mental agony, loss of income, nutritious food, transportation etc. It has further awarded actual expenses of Rs. 6,100/- incurred on medicines. I do not find any infirmity or illegality in the impugned award, which calls for any interference in this appeal.

The appeal is accordingly dismissed.

(Mohammad Rafiq) J.