

Ramesh Vs. Mufeed Ahmed and ors.

Ramesh Vs. Mufeed Ahmed and ors.

SooperKanoon Citation : sooperkanoon.com/771819

Court : Rajasthan

Decided On : Jul-18-2007

Reported in : 2008(1)WLN461

Judge : Ashok Parihar, J.

Appeal No. : S.B. Civil Misc. Appeal No. 1413/2001

Appellant : Ramesh

Respondent : Mufeed Ahmed and ors.

Judgement :

Ashok Parihar, J.

1. Appellant has prayed for enhancement of compensation awarded by the Tribunal vide order dt. 24.04.2001 by which in a case of injury, the Tribunal has awarded a sum of Rs. 83,236/-.
2. After hearing learned Counsel for the parties, I have carefully gone through the material on record.
3. At the time of accident, the appellant was a bachelor of the age of 22 years. As per medical report, he sustained 10% permanent disability. He was also a graduate and could not get admission in M.A. because of the accident. Apart from other injuries, he also sustained fracture of pelvis bone of hip and after operation,

a rod had to be inserted. Due to above injuries, he had to suffer not only mental agony and humiliation because of limp in the leg, but his future prospects have also been affected. He will have to face many difficulties in life more particularly been bachelor. The Tribunal appears to have computed the compensation without considering above aspects. Considering the age, occupation and nature of injuries, I deem it just and proper to award a lump sum compensation of Rs. 1,75,000/- to the appellant.

4. Accordingly, the appeal is partly allowed. The impugned award dt. 24.04.2001 is modified to the extent that the appellant shall be entitled for a compensation of Rs. 1,75,000/- from the respondents jointly and severally. Remaining amount be paid to the appellant within 30 days from the date of receipt of certified copy of this order. Record be sent back.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com