
Deodutt Sharma Vs Ram Chandra Singh and Others

Appeal from Original Order No. 243 of 1997 (R)

Court: Jharkhand High Court

Date of Decision: Feb. 6, 2002

Acts Referred:

Motor Vehicles Act, 1988 & Section 166

Hon'ble Judges: Hari Shankar Prasad, J; Gurusharan Sharma, J

Bench: Division Bench

Advocate: Arvind Kumar Lall, for the Appellant; S.N. Lal and Alok Lal, for the Respondent

Final Decision: Dismissed

Judgement

1. In the night of 29th day of September, 1986, one tempo (BPN 9783) collided with an ambassador car (BPV 5153), tempo along with another passenger. Both the passengers sustained injuries in the said accident.
2. The appellant's claim is that though no grievous injury was caused to him but he suffered pain for period and had to incur expenditure of Rs. 403/- in course of treatment in HEC plant hospital, Dhurwa. A certificate issued in respect of the aforesaid expenditure of Rs. 403/- was brought on record by the claimant.
3. The claimant failed to establish nature and extent of injuries sustained by him in the accident in question. In his deposition he simply stated to have suffered a lot of pain resulting in reduction of his capacity to function normally, but even any hair crack fracture was not found in his body nor any injury was proved by him.
4. In our opinion, the tribunal rightly granted compensation of Rs. 403/- to him and the impugned award does not require any interference.
5. There is no merit in this Appeal. It is accordingly dismissed, but without costs.