
(2016) 2 JKJ 275

Jammu & Kashmir High Court

Case No: CIMA No. 30 of 2014 and MP No. 01 of 2015

Union of India

APPELLANT

Vs

Kh. Shazia

RESPONDENT

Date of Decision: Sept. 17, 2015

Acts Referred:

- Motor Vehicles Act, 1988 - Section 166, Section 168

Citation: (2016) 2 JKJ 275

Hon'ble Judges: Mr. Hasnain Massodi, J.

Bench: Single Bench

Advocate: Mr. Sheikh Mushtaq, with Mr. Mushtaq A. Khan, Advocates, for the Respondents;
Mr. S.A. Makroo, ASGI, for the Appellant/Petitioners

Final Decision: Disposed off

Judgement

i), Loss of dependency:, Rs. 4.86 Lacs

ii), Loss of pain and suffering:, Rs. 2.00 Lacs

iii), Medical expenses:, Rs. 2.00 Lacs

iv), Loss of amenities of life:, Rs. 2.00 Lacs

, Total:, Rs. 10.86 Lacs

2.00 Lacs awarded by Tribunal.,,

12. It is stated by learned' counsel for respondent that respondent is bedridden and not in a position to move without support. It is further stated,,

that respondent is likely to incur expenditure on account of attendant and future medical expenses. These aspects of the matter have been,,

completely ignored by Tribunal while assessing compensation. I am of the view that respondent deserves to be granted Rs. 1.50 Lacs on account,,

of future medical expenses.,,

13. Against above backdrop, Award dated 9th May 2014 is modified as under :",,,

Appellant shall pay Rs. 13,86,000/- to respondent with interest @ 6% per annum from filing of claim petition till the assessed amount is paid to",,,

her."""",,,

14. Let amount deposited be released in favour of respondent preferably through payee's account cheque. The award amount over and above,,

deposited amount, be deposited within four weeks, where after it shall be released in favour of respondent.",,

15. Disposed of.,,