



2026:PHHC:058544



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FAO-2878-2024

**134 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO-2878-2024

Decided on : 24.03.2026

Afridi

....Appellant

Versus

Yakub Khan & ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present :- Mr. Kunal Phogat, Advocate and
Ms. Devika Kamboj, Advocate
for the appellant.

Mr. Harjinder Singh, Advocate
for respondent No.3.

PANKAJ JAIN, J. (ORAL)

1 The claimant is in appeal seeking enhancement of compensation awarded in a claim petition filed under Section 166 of the Motor Vehicles Act, 1988.

2 Claimant is an injured victim of a motor vehicular accident. At the age of 15 years, he suffered injuries in an accident that occurred on 30.12.2020 while he was riding as a pillion rider on a motorcycle. He remained hospitalized from 31.12.2020 to 05.08.2021. As per testimony of Dr. Naseem Ahmed, Orthopedic Surgeon, General Hospital, Mandikhera, who deposed as PW-3, the claimant has suffered permanent disability to the extent of 40% on account of fracture of distal right femur with fracture of both bones of right leg. The same has



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caused him loss of function of right knee and right ankle. The Tribunal assessed functional disability of the claimant as 30%.

3 Keeping in view the fact that appellant, while studying in Class-9, lost total movement of the joints of his right leg, this Court finds that the Tribunal erred in pegging down the functional disability to 30%. The same is taken to be 50%. Keeping in view minimum wages notified on the date of accident, i.e. 30.12.2020, income of the injured-claimant is notionally assessed as Rs.11,000/- per month. The award is modified as under :-

1	<i>Income</i>	<i>Rs.11,000/-</i>
2	<i>Loss of future earnings</i>	<i>For one year- Rs.1,32,000/-</i>
3	<i>Disability</i>	<i>Rs.1,32,000 x 50/100 x 18 = Rs.11,88,000</i>
4	<i>Medical expenses (on actual basis)</i>	<i>Rs.1,12,000/-</i>
5	<i>Future medical expenses</i>	<i>NIL</i>
6	<i>Attendant charges</i>	<i>Rs.1,50,000/-</i>
7	<i>Special diet</i>	<i>Rs.50,000/-</i>
8	<i>Transportation</i>	<i>Rs.1,00,000/-</i>
9	<i>Pain & suffering</i>	<i>Rs.2,50,000/-</i>
10	<i>Marriage prospects</i>	<i>Rs.3,00,000/-</i>
11	<i>Loss of amenities</i>	<i>Rs.2,50,000/-</i>

3 With the aforesaid modification in the impugned award, the appeal is disposed off.

4 Needless to say, the appellant shall be entitled to interest @7% per annum on the enhanced amount from date of filing of the claim petition till the date of actual realization.

24.03.2026

Pooja Sharma-I

Whether speaking/reasoned:
Whether reportable:

(PANKAJ JAIN)
JUDGE

Yes/No
Yes/No