

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.1110 of 2008

Date of decision:24.09.2015

Sonu Kumar

.... Appellant

Versus

Sunehra @ Sunder Singh and others Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Ashis Gupta, Advocate for Mr. Vikram Singh,
Advocate for the appellant.

Navita Singh, J. (Oral)

It is fairly conceded that the appeal is not maintainable in view of the provisions of Sub Section (2) of Section 173 of the Motor Vehicles Act. It is, however, submitted that the appellant may be permitted to withdraw the appeal with liberty to file a revision petition.

Ordered accordingly with the above said liberty.

It is pointed out by counsel for the appellant that in many cases where the amount is less than Rs.10,000/-, the appeals are being passed stating that revision would be maintainable only where the driver and owner are liable to pay. However, there appears to be no such provision in Section 173 of the Motor Vehicles Act to my wisdom. Sub section (2) of Section 173 of the Motor Vehicles Act is required to be adhered to.

24.09.2015

renu

(NAVITA SINGH)

JUDGE