

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 2298 of 2015 (O/M)
Date of decision : 22.4.2015

Jaswinder Singh @ Pappa and another Appellants

Versus

Heera Singh Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Param Preet Singh Brar, Advocate,
for the appellants.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

This appeal has been filed by the driver and owner of the offending vehicle against the award dated 4.2.2015, passed by the Motor Accident Claims Tribunal, Faridkot (in short 'the Tribunal').

In this case, on 8.7.2012, Heera Singh, while travelling on his motorcycle make Hero Honda, bearing registration No. PB04-L-7528 alongwith Jarnail Kaur, mother of his brother-in-law, was hit by a car bearing registration No. DL-01-CH-4592, driven by Jawinder Singh @ Pappa (appellant No. 1 herein). As a result of the accident, Jarnail Kaur died at the spot and Heera Singh received multiple injuries on neck, head, jaw and nose etc. Heera Singh was taken to Civil Hospital, Goniana, from there he was referred to GGS Medical College, Faridkot, and then to Jha Neuro and Dental Centre,

Bathinda for various treatments. Heera Singh filed a claim petition before the Tribunal for grant of compensation on account of injuries received by him. The Tribunal awarded Rs. 1,00,000/- alongwith interest @ 6% per annum from the date of filing of claim petition till realization in favour of the claimant/injured.

The plea of the learned counsel for the appellants is that the appellants had incurred the expenses for treatment of injured Heera Singh. However, no such evidence was led before the Tribunal. Learned counsel has further argued that the part of the bridge had caved in and that the motorcyclist should have been careful.

In any case, appellant No. 1 was driving the offending car and he was also supposed to be careful and be considerate towards motorcyclist. The accident occurred on the caved in bridge, which shows that the car was being driven rashly and negligently. The Tribunal had considered the medical bills to grant the compensation. There is no ground to interfere with the award dated 4.2.2015, passed by the Tribunal.

Accordingly, the appeal is dismissed.

Rs. 25,000/- deposited with this Court be remitted to the Tribunal for disbursement to the claimant.

(KULDIP SINGH)
JUDGE

22.4.2015
sjks