

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

SANJIV KUMAR SHARMA  
2015.04.10 16:58  
I attest to the accuracy and  
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CM No. 7144-CII of 2015 in/and  
FAO No. 2300 of 2015  
Date of decision : 7.4.2015

Wahid

..... Appellant

Versus

Smt. Farida and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Abhimanyu Singh, Advocate,  
for the applicant-appellant.

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)

CM No. 7144-CII of 2015

There is 35 days' delay in re-filing the present appeal.

For the reasons mentioned in the application, which is supported by affidavit of learned counsel for the applicant-appellant Shri Virendra Rana, the delay of 35 days in re-filing the present appeal is condoned.

Application is accordingly disposed of.

Main case

This appeal has been filed by the owner of the offending vehicle (appellant herein) against award dated 2.1.2015, passed by the Motor Accident Claims Tribunal, Mewat at Nuh (in short 'the Tribunal).

Learned counsel for the appellant has argued that the offending vehicle was sold by the owner of the offending vehicle (appellant herein) to respondent No. 9, namely, Jakkhu in the year 2009 and a Special Power of Attorney dated 7.6.2011 (Annexure-A-1) was executed.

However, the perusal of the Insurance Policy (Ex.P9) shows that it was obtained on 7.8.2013 by the present appellant. Undoubtedly, the present appellant was the registered owner of the offending vehicle at the time of accident, which took place on 11.8.2013. The conduct of the appellant in getting the vehicle insured on 7.8.2013 shows that he is the registered owner of the offending vehicle and that the offending vehicle was not sold through special power of attorney, as stated. Moreover, certain formalities are required to be completed at the time of sale of the vehicle. Motor Vehicle authority was not informed about the sale of the offending vehicle. Therefore, the appellant being the registered owner of the offending vehicle was rightly held liable by the Tribunal. There is no force in the present appeal. Hence, the same is dismissed.

(KULDIP SINGH)  
JUDGE

7.4.2015  
sjks