

**Sr. No.251
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**FAO No.3205 of 2015 (O&M)
Date of Decision.13.10.2015**

Rajender and others

.....Appellants

Versus

Shri Sushil Kumar Mittal and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

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

Present: Mr. Sheenu Sura, Advocate,
for the appellants.

None for the respondents.

K. KANNAN J. (ORAL)

CM No.9613-CII of 2015

For the reasons mentioned in the application, delay of 259 days in re-filing the appeal is condoned.

Application stands disposed of.

FAO No.3205 of 2015

The husband of the deceased was the claimant making a claim for the death caused while he was driving the vehicle. The owner of the vehicle against which he dashed was not made a party and made a claim against the owner of the car who had lent the

vehicle. Unless it was a case of the car in a state of disrepair that was responsible for the accident, there was no scope for entertaining a claim for his own act even under Section 163-A. The petition was clearly misconceived and correctly dismissed. There is no scope for interference. Appeal is dismissed.

If a fresh claim petition were to be filed against the owner and insurer of yet another vehicle said to have been involved, the dismissal of this case will not be held out against the appellant and he will be entitled to seek adjudication in accordance with law.

(K. KANNAN)
JUDGE

13.10.2015

vandana