

In the High Court for the States of Punjab and Haryana, at  
Chandigarh

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**FAO-4817-2014**

**Date of decision: 12.1.2015**

Ram Janam

..Appellant

Versus

Gurbachan Singh and others

..Respondents

Coram: **Hon'ble Mr. Justice Mahavir S. Chauhan**

Present: Mr. Vikram Bali, Advocate  
for the appellants.

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**Mahavir S.Chauhan, J.(Oral)**

Ram Janam, appellant herein, brought claim application No. 145 of 27.7.2012/1.4.2013 to seek compensation amounting to Rs. 10 lacs by alleging that his father Chandirka Parsad, who was working as Machine Operator with Bhushan Industries, Industrial Area,Phase-1, Chandigarh died in a motor vehicle accident caused on account of rash and negligent driving of a truck bearing registration No. HR-37-A-4495 by respondent No.1 Gurbachan Singh on 19.8.2008. It was also alleged that the applicant-appellant was wholly dependent upon the income of the deceased. The appellant's claim was contested by the respondents. Issues were framed. Evidence was taken and parties were heard by the learned Tribunal.

Learned Motor Accident Claims Tribunal, Panchkula (for

short,"the Tribunal") on appraisal of the evidence in the light of the submissions made at the bar found that the appellant was not able to prove that he was son of the deceased and accordingly vide award dated 6.1.2014 dismissed appellant's claim.

To challenge award dated 6.1.2014, this appeal has been brought by the unsuccessful claimant.

I have heard learned counsel for the appellant.

It is argued that in the ration card Exhibit P3, it has been specifically mentioned that the deceased was father of the appellant but the learned Tribunal has failed to appreciate it properly.

After hearing learned counsel for the appellant and on perusal of the impugned award, it is found that the learned Tribunal has very specifically held that as per ration card Exhibit P3, deceased had no children. Except for this ration card, no other evidence is available on record to substantiate appellant's plea that deceased was his father. Ram Lakhan, who according to learned counsel for the appellant is appellant's brother, appeared as PW2 but he has not stated a word to indicate that deceased was father of the applicant-appellant.

In the absence of any other evidence available on record to substantiate appellant's plea that he is son of the deceased, his relationship with the deceased has been rightly held by the learned Tribunal as not proved.

In view of the above, finding of the learned Tribunal holding that the appellant has failed to prove his relationship with the

deceased cannot be interfered with.

Dismissed.

January 12,2015  
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(MAHAVIR S.CHAUHAN)  
JUDGE