

206.

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO No.234 of 2010 (O&M)

Date of decision:15.02.2016

Kushal Pal Singh

... Appellant

versus

Deepak and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Ms. Sonia G. Singh, Advocate,
for the appellant.

Mr. R.S. Dhull, Advocate,
for respondent No.3.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. (Oral)

1. For the accident that took place in the year 2006 involving damage to the vehicle of a third party and personal injuries for a child travelling in a motorcycle along with owner, the claimant produced bills from automobile shop issued in May, 2008. The Tribunal did not believe the genuineness and dismissed the claim.
2. The accident itself was not denied. The fact of involvement of the motorcycle was not denied. The collision that

caused serious personal injury to a human being could not have spared any damage to the vehicle. The Tribunal was justified in rejecting the bills produced by the claimant as not evoking its confidence by making reference to the date of issue of bills. I will still believe that the damage could not be anything less than ₹6,000/-. The bills produced were to the tune of replacement for value of ₹11,739/-. I will make this amount as ₹6,000/- as due and payable to the claimant with interest at 6% from the date of petition till date of payment.

3. The award stands modified and the appeal is allowed to the above extent.

(K.KANNAN)
JUDGE

15.02.2016
sanjeev