

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No. 5932 of 2013

Date of Decision: March 31, 2016

Gurbaksh Singh

...Appellant

Versus

Neelam and others

...Respondents

CORAM: HON'BLE MR. JUSTICE K.KANNAN

Present: Mr. Nandan Jindal, Advocate,
for the appellant.

.....

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?*

K.KANNAN, J (Oral)

1) The owner is in appeal challenging the liability cast on no fault liability under Section 140 of the Motor Vehicles Act (for short 'the Act'), for the death of a person, who was running along with the tractor and died. It was surely a case of death by the use of motor vehicle and the Tribunal found that there was no negligence on the part of the owner, but still made him liable under Section 140 of the Act. It conforms to the law laid down in **Eshwarappa @ Maheshwarappa v. C.S. Gururshanthappa and**

another 2010 (8) Scale 263. There is no scope for interference in the award. The appeal is dismissed.

2) The amount which is deposited before this Court is ordered to be transmitted to the Motor Accident Claims Tribunal for satisfaction of the claim.

March 31, 2016
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(K.KANNAN)
JUDGE