

208.

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

**FAO No.8512 of 2014 (O&M)**

Date of decision:17.03.2016

Sanjeev Kumar

... Appellant

versus

Vinod and others

.... Respondents

**CORAM: HON'BLE MR. JUSTICE K. KANNAN**

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Present: Mr. Vivek Goyal, Advocate,  
for the appellant.

Mr. Baldev Singh, Advocate,  
for respondents 2 to 5.

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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.

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**K.Kannan, J. (Oral)**

1. The point at issue is whether the registered owner would be made liable when the subsequent purchaser was a party in proceedings and there was also evidence to show that the vehicle was taken delivery of by offering superdari before the magistrate by the subsequent purchaser. The copy of the document was also filed as Ex.R4.

2. The Tribunal, while awarding compensation, has distributed the liability between the registered owner and the subsequent purchaser. There is no compulsion to make such an

order and make the registered owner liable. This aspect has been considered in **Purnya Kala Devi Versus State of Assam and another-2014 (14) SCC 142.**

3. The award already passed is modified restricting the liability only to the respondent No.1 before this court. The award stands modified and the appeal is allowed. Any amount deposited before this court is ordered to be returned to the appellant if it is still available.

**(K.KANNAN)**  
**JUDGE**

17.03.2016  
sanjeev