

**206-A**

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

FAO-3933-2005

Date of Decision : 13.12.2017

Sukhbir Singh

.....Appellant

versus

Ajmer Singh and others

## ....Respondents

**CORAM : HON'BLE MS. JUSTICE RITU BAHRI**

**Present:** Mr. K.S. Dhanora, Advocate  
for the appellant.

Mr. V.K. Garg, Advocate  
for respondent No.3.

**RITU BAHRI, JUDGE (ORAL)**

This appeal has been filed by the claimant-appellant seeking enhancement of compensation awarded by Motor Accident Claims Tribunal, Kurukshetra (hereinafter referred to as 'the Tribunal') vide award dated 07.04.2005 in MACT Case No.28 of 2004, on account of damages caused to a jeep bearing registration No.DED-6015 in a motor vehicular accident which took place on 23.02.2004. Appellant is the son of deceased Kehar Singh.

Brief facts of the case are that on 23.02.2004, Kehar Singh (since deceased), father of claimant-appellant, Sukhbir Singh, coming from Rattangarh-Kakrali village in a jeep bearing registration No.DED-6015 and met with an accident, as a result of which, he died at the spot and the said jeep caused damages, which is owned by the claimant-appellant. Consequently, claimant-appellant filed a claim petition, i.e. MACT case No.28 of 2004 and claimed a sum of Rs.20,000/- as compensation on account of the damage of the aforesaid jeep, before the Tribunal.

On the basis of evidence led by the parties, the Tribunal came to a conclusion that cash memos showing the expenditure were on the

higher side. This finding was rightly given on the basis of deposition of Sarvajit Singh (PW7), who provided the bills Exs.P8 to P10 and documents Exs.P6 to P10. Keeping in view the Registration Certificate Ex.R5 and the model of the jeep i.e. of 1983, means it was 15 years old vehicle at the time of accident, the claim for damages on the vehicle has been assessed as Rs.6,000/- along with interest at the rate of 9% per annum from the date of filing of the claim petition, till its realization. Feeling dissatisfied with the impugned award, the claimant-appellant has preferred the present appeal.

I have heard learned counsel for the parties and perused the case file.

Keeping in view that there was no evidence mentioned as Exhibits P6 and P7, the bills were treated to be exaggerated and an amount of Rs.6,000/- has been awarded for the damages caused to the jeep. No further modification is required to be done. The appeal is, therefore, dismissed.

13.12.2017  
*Neha*

(RITU BAHRI)  
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No