

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

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**FAO No. 5525 of 2009
Date of decision: 21.08.2017**

Surjit Singh

..appellant

Versus

Mange Ram and Ors.

..respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. R.S. Mamli, Advocate for the appellant.

Mr. Vipul, Advocate
for Mr. Ravinder Arora, Advocate
for respondent No. 3-Insurance Company.

RAJIV NARAIN RAINA, J.(ORAL)

The claimant himself professed in the DDR lodged by him in the police station that he was the driver of the tractor involved in the accident. If he fell down and injured himself he cannot claim insurance cover. The Motor Accident Claims Tribunal, Yamuna Nagar at Jagadhri has dismissed the petition under Section 166-A of the Motor Vehicles Act, 1988. The driver suffering injury by fall from own vehicle which does not involve another motor vehicle is not in a motor accident and therefore, the Tribunal is correct in dismissing the petition. If the appellant resiles from the narration in the DDR and says that he was not the driver then he be going against his own version before the police and accordingly he has to be held down to his own declaration.

No merit.

Dismissed.

**(RAJIV NARAIN RAINA)
JUDGE**

August 21, 2017

Poonam (II)

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No