

In the High Court of Punjab and Haryana at Chandigarh

F.A.O No. 2862 of 2010 (O&M)

Date of Decision: 14.11.2017

Sukhbir Singh

.....Appellant

Versus

Rajbir Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Mohit Garg, Advocate
for the appellant.

Mr. R.K.Singla, AAG, Haryana.

Ms. Vandana Malhotra, Advocate
for respondent No. 4-insurance company.

ANITA CHAUDHRY, J

Delay of 56 days in filing the appeal is condoned.

This appeal has been filed by the claimant aggrieved by the dismissal of his claim petition.

Sukhbir Singh filed a claim petition pleading that his motor cycle was damaged in an accident which occurred on 21.10.2006. It was claimed that the motor cycle was extensively damaged and an FIR was registered with respect to this accident and some others had received multiple injuries and two persons had died. Sukhbir Singh stepped into the witness box and claimed that he was the owner but he could not prove that he was the owner of the motor cycle. No mechanical report or registration certificate or the bill of ownership was produced. He did not even lead evidence to show that the motor cycle was repaired. His claim was

dismissed.

I have heard both the sides. The record has been perused.

Counsel for the appellant was asked to produce now the registration certificate to show that the motor cycle was owned by the claimant. It had been stated that they do not have the registration certificate. The claimant has failed to show that he was the owner of the motor cycle. He had also failed to prove that extensive damage had been caused to it. The claim petition was rightly dismissed. There is no reason to differ with the view taken by the Tribunal.

The appeal is dismissed.

(ANITA CHAUDHRY)
JUDGE

November 14, 2017
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No