

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

**FAO-4405-2013 (O & M)
Date of decision: 21.02.2017**

Sewa Singh Appellant

V/s

Rajbir Singh and anr. ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. V.B. Aggarwal, Advocate, for the appellant.

Mr. Vinay Kataria, Advocate, for respondent No.1.

Rajan Gupta, J. (Oral)

Present appeal is directed against the order passed by the Tribunal awarding an amount of Rs.2,12,721/- for the injuries suffered by the claimant in the accident.

The accident took place on 29.04.2007. The claimant alongwith his brother was coming from Sector 8, Chandigarh. As they crossed the light-point between Sectors 15 and 16, they were struck by the Jeep in question. An FIR No.121 dated 29.04.2007 under Sections 279, 337 IPC was registered regarding the accident.

On a claim being lodged, Tribunal came to the conclusion that the accident occurred due to rash and negligent driving of the offending vehicle. It proceeded to assess the compensation and found that the claimant was entitled to a sum of Rs.2,12,721/- alongwith interest at the rate of 7.5%.

Liability was fastened jointly and severally on the owner of the vehicle.

There being no Insurance company before the Tribunal, admittedly, the entire compensation has been granted to the claimant by the driver namely Rajbir Singh. The owner-respondent No.2 remained ex parte before the Tribunal and could not be served in this appeal despite effort made by the appellant. I am of the considered view that compensation has rightly been assessed by the Tribunal. There is no ground to interfere in the appellant jurisdiction.

Dismissed.

(RAJAN GUPTA)
JUDGE

February 21, 2017
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No