

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 12.09.2017****FAO No.2091 of 2016 (O&M)**

Kanta & others

...Appellants

Vs.

Surender & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINAPresent: Mr. Ram Pal Verma, Advocate,
for the appellants.**RAJIV NARAIN RAINA, J. (ORAL)**

The Motor Accident Claims Tribunal, Sonipat has dismissed the claim petition. It is reasoned that the version of the road accident propounded by the claimants appears to be manipulated for getting undeserved compensation. It is not possible to believe that only a single passenger among many in a public bus would suffer fatal injuries by the bus hitting a bump in the road. Since no injury was reported on the body of any of the 40 odd passengers travelling in the bus, it can be safely concluded that the injuries were not sustained by the deceased in the manner pleaded. The deceased Kishan Chand's son, namely, Pankaj, while appearing as PW-4, admitted that no other passenger sustained injuries. Moreover, no bus ticket was placed on record in proof of presence of Kishan Chand in the bus. There is only a solitary version of PW4 Pankaj in his deposition. There is no other witness, nor an eye witness on whom credence can be placed. If

Kishan Chand had died in the bus in an accident there would have been a hullabaloo. There is not an iota of evidence to corroborate the story propounded in the claim petition and before the Tribunal. There is no safe or dependable evidence on file to rely upon that the incident happened.

Consequently, I have no reason to differ with the well reasoned award and the findings of the Tribunal at Sonipat and would dismiss the instant appeal.

12.09.2017
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*