

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO-2098-2016

Date of Decision:- 11.10.2017

Chanchal Singla

.....Appellant

Versus

Naveen Kumar Mittal and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: None for the appellant.

Mr. Ved Parkash, Advocate, for respondent No.1.

Ms. Maninder Arora, Advocate, for respondent No.2.

RITU BAHRI, J. (Oral)

Present appeal has been filed by the appellant-Chanchal Singla against the Award dated 29.10.2015, passed by Motor Accident Claims Tribunal, Patiala (hereinafter referred to as 'the Tribunal'), whereby the claim petition has been dismissed.

Brief facts of the case are that on 07.01.2013, the injured was going to Rajpura from her home to do her job at SBOP along with other employees and staff members in Zen car bearing No.PB-11-W-5854. When their car reached ahead of village Dhindsa near petrol pump at about 9.30. AM, a Tata Indigo Car bearing No.HR-26-Y-6890 coming from Rajpura side driven by Naveen Kumar rashly and negligently without blowing any horn and light struck into the car of claimant from front and due to which the claimant along with other

persons sitting in the said car suffered injuries and car was badly damaged by respondent No.1 and one of the employee/driver, namely, Tirath Singh died in this accident. All the injured persons were admitted in Rajindra Hospital for first aid. After that she was referred to Amar Hospital, Patiala, where major operations were done by doctors. A DDR No.22 dated 7.1.2013 was registered by Police Station Kheri Gandian, Patiala.

Consequently, the claimant-appellant filed a claim petition before the Tribunal.

Perusal of the impugned Award shows that after the incident had taken place, a DDR No.22 was lodged by Harcharan Singh, brother of deceased driver of car No.PB-11-W-5854, as Ex.C73, in which he stated that the accident had taken place due to fog and nobody was at fault. Ultimately, on the basis of the evidence led by the parties, the Tribunal has come to a conclusion that the claimant has failed to prove on record that respondent No.1 was driving the offending car No.HR-26-Y-6890 in a rash and negligent manner.

Heard.

Keeping in view the above-said findings recorded by the Tribunal, no ground for interference is made out in the impugned Award.

Dismissed.

October 11, 2017
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No