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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Decided on: 31st October, 2017

+ MAC.APP. 786/2011

RAMJI YADAV

..... Appellant

Through: None.

versus

RAJ KUMAR & ANR.

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

JUDGMENT (ORAL)

1. The appellant had instituted Accident Claim case (MACT Case No.650/10/06) on 23.09.2006 alleging that he had suffered injury in the motor vehicular accident which took place on 21.04.2006 on being hit by bus bearing registration No. HP-34A-5428 (the bus) which, according to his case, was driven in a rash manner, reference being made to corresponding criminal case vide First Information Report bearing No.126/06 in Police Station Alipur. The Tribunal held inquiry and, by judgment dated 03.05.2011, returned a finding holding that the

claimant had failed to prove that he had suffered injuries on account of negligent driving of the bus in a motor vehicular accident.

2. The appeal was filed seeking to assail the above said conclusion wherefore the Tribunal has declined to grant any compensation. The appeal was put in the list of 'Regulars' as per order dated 3rd February, 2017. Noticeably, there was no appearance on behalf of the appellant on that stage. When it is taken up for hearing again, there is no appearance by the claimant.

3. On perusal, it is found that the Tribunal has referred to various deficiencies in the evidence including the fact that there was a statement initially made by the claimant before the police that he had suffered injuries due to some quarrel. The Tribunal also found that the criminal case record had been fabricated.

4. Against the above backdrop, there is no ground for interference.

5. The appeal is dismissed.

R.K.GAUBA, J.

OCTOBER 31 , 2017
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