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

Decided on: 17th July, 2017

+ **MAC APPEAL No.600/2017 and CM APPP.24818-24820/2017**

NAUSHAD AHMED

..... Appellant

Through: Ms. Seema Sharma Advocate with
Mr. S.K. Bhattacharjee, Advocate &
Ms. Preeti Saikia, Advocate

versus

THAKUR PRASAD & ORS.

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

JUDGMENT (ORAL)

1. The appellant admittedly was the registered owner of the motor vehicle bearing registration No.DL-5CB-2363 on 13.12.2011 when the accident took place giving rise to the cause of action for compensation to be claimed in MACT case No.14464-14465/2015. At the inquiry where he was impleaded as one of the respondents, he claimed that he had already sold the vehicle on 09.08.2007 in favour of one Anil Kumar. The said Anil Kumar came to be impleaded as the third respondent before the Motor Accident Claims Tribunal (the tribunal). It appears, on similar contentions being raised by the said Anil Kumar and certain others, some other persons came to be impleaded as respondents.

2. Eventually, the tribunal by the impugned judgment dated 25.01.2017 has fastened the liability on the appellant, and the driver (Mohd. Naim) jointly and severally for the reason it was admitted that after the alleged sale of the vehicle to Anil Kumar, there was no intimation to the registering authority, the vehicle having continued to be registered in the name of the appellant till date.

3. The appeal questions the view taken by the tribunal on the ground that the vehicle having been already sold, the liability could not have been fastened on the appellant.

4. In the face of the clear admission that the vehicle continued to be registered in the name of the appellant, there concededly having been no intimation of any such sale to the registering authority, the impugned award cannot be faulted.

5. The appeal is dismissed in *limine* along with pending applications.

JULY 17, 2017

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R.K.GAUBA, J.