

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

1. FAO No. 1220 of 1994

Miss Ritu @ Rimpi ...Appellant

Versus

Baru Ram and others ...Respondents

2. FAO No. 1221 of 1994

Usha Rani and others ...Appellants

Versus

Baru Ram and others ...Respondents

Date of decision:- 03.05.2018

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Saroj Malakar, Advocate
for the appellant

Mr. Suvir Dewan, Advocate
for respondent No. 3

RITU BAHRI J. (Oral)

1. The above said appeals, as noticed above, are being disposed of by this common judgment, having arisen out of the impugned Award dated 21.03.1994 passed by the learned Motor Accident Claims Tribunal, Patiala (for short the Tribunal) whereby the claim petitions were dismissed.

2. A bare perusal of the impugned award shows that the claim petitions were dismissed on the ground that the claimants have failed to prove that Satish Kumar Sharma died due to rash and negligent driving of Gurmail Singh-driver of Maruti Van PCX-8784 on 29.05.1992. No witness was examined to prove the accident. Merely on the statement of Usha Rani-wife of the deceased, respondent No. 1 cannot be held to drive the offending vehicle. Further there is no mentioning of van number or name of the driver

in the F.I.R. The only description of the vehicle written therein is that the same was of biscuit colour. There was only one witness i.e Amarjit Singh who was stated to have been taken the deceased to hospital but he was also not examined nor any explanation has been given for his non-production.

3. Learned counsel for the appellant has not been able to point out any flaws in the award passed by the Tribunal.

4. In view of the above factual position, no ground is made out to interfere in the impugned award dated 21.03.1994.

5. The claim petitions are dismissed.

May 03, 2018
G Arora

(***RITU BAHRI***)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No