

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

FAO No. 2345 of 2003

Date of decision:- 16.03.2018

Karar Singh & anr.

...Appellants

Versus

Mander Singh and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. G.S. Bawa, Advocate, for the appellants

Mr. Sandeep Suri, Advocate, for respondent No. 4

RITU BAHRI J.

The present appeal has been preferred by the appellants (for short 'the appellant'), against award dated 31.01.2003 passed by the learned Motor Accident Claims Tribunal, Sirsa (for short, 'the Tribunal') whereby the claim petition filed by the appellant under Section 163-A of the Motor Vehicles Act, has been dismissed.

A bare perusal of the impugned award shows that the claim petition of the claimants has been dismissed on the ground that firstly the doctor where the Jasbir Singh was taken, was not examined nor the record of that nursing home has been summoned. Further neither Darshan Singh nor Jagjit Singh disclosed the registration number of the tractor. There is no post mortem report nor there is any medical record to show that it was a case of vehicular accident. P.W.3 Jagjit Singh states that the accident had not taken place in his presence and that he had reached the spot after hearing noise.

The appellants have failed to prove on record that Jasbir Singh died in a road accident involving tractor and thus the appellants have rightly not held entitled to get any compensation.

Dismissed.

16.03.2018

G Arora

**(RITU BAHRI)
JUDGE**

***Whether speaking/reasoned
Whether reportable***

***Yes
No***