

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

(204)

FAO No.812 of 1997 (O&M)

Date of Decision:04.04.2018

Dalip Kumar

.....Appellant

Vs.

Sukha Chand and others

.....Respondents

CORAM:- HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. K.P. Singh, Advocate for the appellant.

Mr. Surender Gandhi, Advocate for respondent No.2.

Mr. Arvind Rajotia, Advocate for respondent No.5.

RITU BAHRI, J. (Oral)

The claimant has come up in appeal against the impugned judgment dated 04.01.1997 dismissing the claim petition under Section 166 of the Motor Vehicle Act.

After hearing learned counsel for the parties and going through the award, it transpires that the claimant Dalip Singh who had appeared as PW1 got registered DDR No.16 dated 30.09.1992. There was also rapat-rojnamcha dated 01.10.1992 entered on the statement of Dalip Singh that the left foot of Dalip came under motor cycle when its driver stopped it all of a sudden. As per the claimant, respondent No.4 was driving the motor cycle at that time and one eye witness came forward to support the case of the claimant before the Tribunal. The version given in the DDR was sought to be challenged by the claimant by making a statement that a complaint has also been given to the SSP that there was a collusion of the police with

respondent No.1. The DDR No.16 dated 30.09.1992and rapat roznamcha dated 01.10.1992 reflected that Dalip Singh had made a statement that his left foot got injured when the motor cycle was stopped all of a sudden. This version was given without collusion of the police and has been rightly accepted by the Tribunal in dismissing the claim petition. No ground is made out to interfere in the award.

Dismissed.

April 04, 2018
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(RITU BAHRI)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No