

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

514

**FAO-2081 of 2004 (O&M)
Date of Decision : 13.09.2018**

Gian Kaur and another

..... Appellants

Versus

Rattan Singh and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present :- Ms. Bhupinder Kaur, Advocate
for the appellants.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the dismissal of the claim application. The tribunal held that it was not proved that the accident was caused as a result of rash and negligent driving of respondent No.1.

Learned counsel for the appellants has argued that even if the accident was not caused as a result of rash and negligent driving yet an amount of Rs.50,000/- had to be paid on account of no fault liability because there is an admission even on part of respondent No.1 that the accident had taken place.

Learned Deputy Advocate General has very fairly accepted that in this situation no fault liability amount of Rs.50,000/- had to be paid.

In the circumstances, the plea is allowed. The impugned order is set aside. It is directed that the appellants are entitled to a sum of Rs.50,000/- from the respondents. They would also be entitled to interest @ 7.5 % from the date of filing of claim petition till the date of payment.

Appeal stands disposed of.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

13.09.2018

pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No