

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

Date of decision: 10.05.2018

FAO No.10534 of 2014 (O&M)

Karan Singh ... Appellant

Versus

Ikwinder Kaur and others ... Respondents

FAO No.16 of 2015 (O&M)

Karan Singh ... Appellant

Versus

Balwinder Kaur and others ... Respondents

FAO No.17 of 2015 (O&M)

Karan Singh ... Appellant

Versus

Harjit Kaur and others ... Respondents

FAO No.38 of 2015 (O&M)

Karan Singh ... Appellant

Versus

Sukhdeep Kaur and others ... Respondents

FAO No.39 of 2015 (O&M)

Karan Singh ... Appellant

Versus

Ramandeep Kaur and others ... Respondents

FAO No.51 of 2015 (O&M)

Karan Singh ... Appellant

Versus

Jagseer Singh and others ... Respondents

FAO No.52 of 2015 (O&M)

Karan Singh ... Appellant

Versus

Harjit Kaur and others ... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Umesh K. Kanwar, Advocate for
Mr. Vikas Mehsempuri, Advocate
for the appellant.

Mr. Kashish Garg, Advocate for
Mr. Bir Davinder Singh, Advocate
for respondent No.1 in FAO Nos.16, 38, 39 and 52 of 2015.

Mr. Subhash Goyal, Advocate
for Reliance General Ins. Co. Ltd.

Ms. Jaideep Kaur, Advocate for
Mr. J.S. Thind, Advocate for respondent-driver.

REKHA MITTAL, J. (Oral)

This order will dispose of FAO Nos.10534 of 2014, 16, 17, 38, 39, 51 & 52 of 2015 filed by Karan Singh, registered owner of offending vehicle i.e. truck bearing No.HR-57-6090.

The sole submission made by counsel for the appellant is that as the vehicle in question stood insured with Reliance General Insurance

Co. Ltd., the Tribunal has committed an error by holding that all the respondents before the Tribunal are jointly and severally liable to pay compensation. It is further argued that as the insurance company is liable to indemnify the insured, liability should have been fastened only upon the insurance company.

Contention raised by counsel for the appellant is highly misconceived and liable to be rejected. Till the registered owner is held liable to pay compensation being vicariously liable for rash and negligent act of his employee, i.e. driver of the offending truck, no liability can be fastened upon the insurance company. In this view of the matter, I do not find an error much less illegality in findings of the Tribunal holding all the respondents jointly and severally liable to pay compensation.

No other point has been raised.

For the foregoing reasons, the appeals fail and are accordingly dismissed. As the appeals have been decided on merits, application(s) for condonation of delay is of academic relevance only.

No order as to costs.

10.05.2018

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No