

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

Date of decision : August 31, 2018

1. FAO No.6180 of 2014 (O&M)

Pepsu Road Transport Corporation, Patiala vs Master Lavish & Anr

2. FAO No.6183 of 2014 (O&M)

Pepsu Road Transport Corporation, Patiala vs Phool Chand & ors

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Vipul Sachdeva, Advocate
for Mr. Sandeep Khunger, Advocate
for the appellants.

Ms. Preeti Sharma, Advocate
for respondent No.1 in FAO No.6180 of 2014 and
for respondent No.3 in FAO No.6183 of 2014.

Ajay Tewari, J (Oral)

This order shall dispose of both the aforesaid FAOs which arise from the same accident and the Tribunal has allowed two claim petitions vide Award dated 19.12.2012, in the case of deaths of a man and his wife in road accident. Since a very limited issue has been raised, further detailed reference to the facts would not be necessary.

The only contention raised by counsel for the appellants is that the Tribunal did not take notice of the statement made by the Investigating Officer in the criminal case. Counsel for the respondent has argued that firstly the statement of the Investigating Officer in the criminal case would not be relevant in the present case and if the appellants wanted to rely on the testimony of the Investigating Officer, they could have summoned him as a

witness, and secondly and more important that statement has not been placed on record of this case since the appellants did not lead any evidence. Counsel for the appellants is not in a position to deny this.

Consequently, finding no merit both these appeals are dismissed.

Since the main cases have been decided, the pending C.Ms, if any, also stand disposed of.

August 31, 2018
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No