

In the High Court of Punjab and Haryana at Chandigarh

FAO No. 7933 of 2017(O&M)

Date of Decision: 23.3.2018

Kuljeet Singh

---Appellant

versus

Karam Singh and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. H.S.Brar, Advocate
for the appellant**

Rekha Mittal, J.

The Registered owner of Innova Car bearing No. HR-26-AH-7576 (alleged offending vehicle) is in appeal to assail the award dated 3.11.2017 passed by the Motor Accidents Claims Tribunal, Moga (in short “the Tribunal”) whereby compensation has been awarded on account of death of Parminder Singh in a motor vehicular accident that took place on 21.5.2013.

The sole submission made by counsel for the appellant is that the vehicle in question stood sold by the appellant to Kuldeep Singh son of Niranjana Singh, respondent No. 4 on 7.5.2013 and the occurrence in question took place on 21.5.2013, therefore, the Tribunal has seriously erred by fastening liability upon the appellant. It is further argued that Pushwinder Singh, driver of the offending vehicle has admitted that he was engaged as a driver by Kuldeep Singh son of Niranjana Singh, sufficient to establish plea of the appellant that the vehicle in question already stood sold to Kuldeep Singh.

I have heard counsel for the appellant, perused the paper book particularly the award.

Be that as it may, it is undisputed position of the case that the appellant was registered owner of the vehicle in question on the date of occurrence. He certainly falls within the definition of 'owner' defined in Section 2(30) of the Motor Vehicles Act, 1988. The controversy raised in the present appeal is squarely covered against the appellant by judgment of Hon'ble the Supreme Court **Naveen Kumar vs. Vijay Kumar and others (Civil Appeal No. 1427 of 2018) decided on 6.2.2018**

No other point has been raised.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine. No order as to costs.

(Rekha Mittal)
Judge

23.3.2018

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No