

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

FAO No. 592 of 2018(O&M)

Date of decision: 30.1.2018

Vikramjit Singh

.....Appellant

VERSUS

Ratni Devi and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Vikas Mehsempuri, Advocate for the appellant.

REKHA MITTAL, J.

The registered owner of the offending vehicle, car bearing No.PB-11AG-0307 is in appeal to assail findings of the Motor Accidents Claims Tribunal, Kurukshetra (in short 'the Tribunal') fastening liability against the appellant as well while Harjinder Singh, driver and person in possession of the vehicle has also been held jointly and severally liable to pay compensation.

The sole submission made by counsel for the appellant is that as the offending vehicle stood sold by the appellant on 21.09.2013, long before the accident and Harjinder Singh (respondent No.1 therein) has admitted in his cross examination that offending vehicle was sold to him prior to alleged accident by respondent No.2 therein, Tribunal has seriously erred by fastening liability upon the appellant. In support of his contention, he has relied upon judgment of Hon'ble the Supreme Court

Purnya Kala Devi Vs. State of Assam and another, 2014(2) RCR

(Civil) 591.

The appellant cannot derive any advantage to his contention from the judgment in **Purnya Kala Devi's case** (supra) because in the said case, the vehicle was under requisition of the State Government at the relevant time and therefore, it was held that liability to pay compensation is that of the State Government.

The controversy raised in the appeal is squarely covered against the appellant by the judgments of Hon'ble the Supreme Court **Dr T V Jose v Chacko P M, (2001) 8 SCC 748** and **Pushpa @ Leela and others Vs. Shakuntla and others, AIR 2011 SC 682**.

In view of the above, contention raised by counsel for the appellant is grossly misconceived and liable to be rejected.

No other point has been raised.

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

JANUARY 30, 2018
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no