

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-622-2019 (O&M)

Date of Decision: December 05, 2019

Dilbag Singh Bagha and another

.... Appellants

VERSUS

Nishan Singh and others

.... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present None.

JAISHREE THAKUR, J.(Oral)

This is an appeal that has been filed by Sh. Dilbag Singh Bagha, appellant no.1, who is the driver of the offending truck which struck against the motorcycle of Randeep Singh, who suffered multiple injuries and died on the spot.

The accident took place on 17th October 2017, consequent to which Randeep Singh suffered multiple injuries and died on the spot. The claim petition was filed and on the basis of evidence of CW-2 Gurlal Singh. The Tribunal came to hold that Dilbag Singh-driver of the offending vehicle was negligent while driving and consequently the liability to pay the compensation of ₹8,90,976/- was fixed upon the respondents namely the owner and the driver along with the Insurance Company as joint and several. Dilbag Singh, the appellant herein did not put in appearance before the Tribunal to contest the claim. Therefore, an adverse interference was drawn against him. This appeal has been taken up for hearing three times

and on each occasion, the matter has been adjourned on the request made by learned counsel for the appellant. Even today there is no representation on behalf of the appellant to contest the appeal.

Consequently, the appeal stands dismissed for non-prosecution.

December 05, 2019

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned	Yes.
Whether reportable	No.