

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

**FAO No.3148 of 2016 (O&M)
Date of decision: 21.11.2019**

Karamjit Singh

....Appellant

Versus

Jaswinder Kaur and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.S. Gill Advocate,
for the appellant.

Mr. Sanjeev Goyal, Advocate,
for respondent Nos. 1 to 4-claimants.

Mr. K.B. Raheja, Advocate,
for respondent No.6.

RITU BAHRI J. (Oral)

Karamjit Singh-appellant (owner and driver of Tata Sumo No.DL-8-CB-6146) has filed this appeal against the award dated 14.01.2016 passed by the Motor Accident Claims Tribunal, Sangrur, whereby compensation of Rs.8,79,000/- has been awarded in favour of claimant-respondent Nos.1 to 4 on account of death of Balkar Singh in a motor vehicular accident, which took place on 11.07.2007.

While assessing compensation, the Tribunal has observed that Balkar Singh died due to rash and negligent driving of Maruti Zen car bearing No. HR-41-7806 by Charanjit Singh-respondent No.5 (respondent No.1 in claim petition), which was owned by Sinderpal Singh-respondent

No.6 (respondent No.3 in claim petition). Ultimately, respondent Nos. 1 to 3 were jointly and severally held liable to pay the compensation. Present appellant Karamjit Singh was respondent No.2 before the Tribunal.

Learned counsel for claimant-respondent Nos. 1 to 4 states that claimants have compromised the matter with Sinderpal Singh and they have no claim against Karamjit Singh-appellant.

In this view of the matter, present appeal filed by Karamjit Singh-appellant is allowed and the impugned award is being modified that the claimants will have a right to recover the amount of compensation from Charanjit Singh-respondent No.5 (respondent No.1 in claim petition) being driver of Maruti Zen car bearing No. HR-41-7806.

Amount of Rs.25,000/-, which has been deposited by the appellant with the Registry of this Court, be returned to him as per rules.

(RITU BAHRI)
JUDGE

21.11.2019
ajp

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No