

FAO- 4637 of 2016(O&M)
Date of Decision: 11.1.2019

Malkit Singh

---Appellant

versus

Babita and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Rajbir Singh, Advocate
for the appellant**

Rekha Mittal, J.

The present appeal directs challenge against award dated 19.2.2016 passed by the Motor Accidents Claims Tribunal, Chandigarh (in short “the Tribunal”) whereby compensation has been assessed in respect of death of Davinder Kumar in a motor vehicular accident that took place on 28.6.2014 and the respondents namely Ashok Kumar, driver of offending vehicle, Malkit Singh (appellant herein), registered owner of the vehicle and Rajinder Singh to whom the vehicle was sold by Malkit Singh were held to be jointly and severally liable to pay compensation.

The registered owner of three wheeler No. PB 65-E-9002 has filed this appeal to challenge his liability to pay compensation on the premise that as he had already sold the vehicle to Rajinder Singh respondent No. 8 and said fact has been admitted by Rajinder Singh, he has wrongly been fastened with liability to pay compensation.

The controversy raised in the present appeal is no longer res integra and stands decided against the appellant in the light of latest

judgment of the Hon'ble Supreme Court **Naveen Kumar vs. Vijay Kumar**
and others 2018(2) SCALE 263. That being so, the appeal is liable to be
dismissed even without hearing respondent No. 8, remained to be served.

Dismissed.

(Rekha Mittal)
Judge

11.1.2019

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No