

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

235

FAO No.6325 of 2015 (O&M)

Date of decision: 14.01.2019

MAN SINGH

... Appellant

Versus

RELIANCE GENERAL INSURANCE COMPANY & ORS ...Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Sudhir Rana, Advocate for the appellant.
Mr. Subhash Goyal, Advocate for the insurance company.
Mr. Shiv Kumar, Advocate for respondents No.2 to 7.

REKHA MITTAL, J. (Oral)

Man Singh, registered owner of three wheeler No.HR-38-P-6820 is in appeal to assail award dated 06.04.2015 passed by the Motor Accidents Claims Tribunal, Palwal whereby compensation has been assessed on account of death of Shyam in a motor vehicular accident that took place on 16.06.2012, to be paid by the driver and registered owner of the aforesaid vehicle.

Counsel for the appellant would urge that as the vehicle in question had already been sold by Man Singh in favour of Zile Singh vide Annexure A1 i.e. affidavit dated 16.06.2010, the appellant is not liable to pay compensation. In the alternative, it is prayed that in case award passed by the Tribunal is affirmed, the appellant may be left at liberty to take recourse to appropriate remedy in law against Zile Singh.

Counsel representing the respondents have supported the award whereby liability has been fastened upon the registered owner and driver of the offending vehicle.

I have heard counsel for the parties, perused the paper book and records.

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 accident. That being so, appellant cannot escape his liability to pay compensation when examined in the light of latest judgment of Hon'ble the Supreme Court **Naveen Kumar Vs Vijay Kumar and Ors, 2018(2) Scale**

263. In this view of the matter, contention raised by the appellant with regard to his liability not to pay compensation is misconceived and accordingly rejected.

No other point has been raised.

In view of what has been discussed hereinabove, the appeal fails and is accordingly dismissed with costs. However, the appellant is left at liberty to take recourse to appropriate remedy, in accordance with law against alleged purchaser of the vehicle.

As the appeal has been decided on merits, application for condonation of delay is of academic relevance only. Statutory amount of Rs.25,000/- deposited by the appellant be remitted to the Tribunal for payment to the claimants.

14.01.2019

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No