

In the High Court of Punjab and Haryana at Chandigarh

FAO- 5998 of 2016

Date of Decision: 14.3.2019

Nisha and others

---Appellants

versus

Ram Kishan and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Sandeep Kotla, Advocate
for the appellants**

Rekha Mittal, J.

The present appeal directs challenge against award dated 28.1.2016 passed by the Motor Accidents claims Tribunal, Jhajjar whereby application for grant of compensation filed by Nisha and others qua death of Jitender out of use of Motor Cycle No. HR-14-C-6743 has been dismissed by the Tribunal by relying upon certain judgments referred to in para 15 of the award with the observations that since the deceased was a borrower of motor cycle owned by Ram Kishan, his father, he steps into the shoes of owner and the insurance company is not liable to indemnify for the death of Jitender.

The controversy raised in the present appeal is squarely covered against the appellants by judgment of Hon'ble the Supreme Court *Ningamma and another vs. United India Insurance Company Limited, 2009(3) RCR(Civil) 435*. In this view of the matter, I do not find an error

much less perversity in the order impugned that would call for intervention.

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

(Rekha Mittal)
Judge

14.3.2019

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No