

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

FAO No.2996 of 2018 (O&M)

Date of Decision: December 04, 2019

Ashok Kumar

...Appellant

Versus

Gurpreet Singh and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Namit Gautam, Advocate
for the appellant.

JAISHREE THAKUR, J. (Oral)

CM-11685-CII-2018

1. There is delay of 197 days in filing the appeal.
2. For the reasons mentioned in the application, the same is allowed and delay of 197 days in filing the appeal is condoned.

FAO-2996-2018

1. This is an appeal that has been filed seeking to challenge the award dated 09.03.2017 as passed by the Motor Accident Claims Tribunal, Jalandhar whereby, the Tribunal has directed that the compensation will be paid by the registered owner of the offending vehicle.
2. Counsel for the appellant assails the liability that has been fastened upon the owner-appellant herein. It is his contention that the appellant was not owner of the offending vehicle on the date of the accident

which took place, having sold it to Jasbir Singh Laddi, who in turn sold it further. It is also argued that the appellant was not in control and possession of the offending vehicle on the said date and, therefore, would be absolved of any such liability of compensation.

3. I have heard counsel for the appellant and find no merit in the contentions raised. In fact, an accident took place on 04.03.2013 between the bus in which minor children, who were going to school, met with an accident with tempo-traveler bearing registration No.PB01-4363 being driven by Boota Singh alias Vishal (since deceased), in which accident all the school children died. The Tribunal on the evidence led held the appellant liable to pay the compensation, being registered owner of the offending vehicle and consequently, fastened the liability upon him. The issue pertaining to the question of liability of the appellant, arising out of the same accident, already stands settled by this court in FAO No.2476 of 2018 wherein, the appeal of the registered owner i.e. the appellant herein already stands dismissed.

4. Accordingly, the instant appeal stands dismissed, in view of the judgment rendered by this court in ***FAO No.2476 of 2018*** titled as ***“Ashok Kumar vs. Prithpal Singh and others.”***

December 04, 2019

vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No