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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Decided on: 16.10.2019

+ MAC.APP. 822/2019, CM APPL. 45511/2019, CM APPL. 45512/2019 & CM APPL. 45513/2019

NAND KISHOR SINGH

..... Appellant

Through: Mr. Tarun Kumar and Mr. Anand
Shankar, Advocates.

versus

RAVI KUMAR & ORS

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

NAJMI WAZIRI, J (Oral)

1. This appeal impugns the award of compensation dated 01.03.2014 passed by the learned MACT in DAR No. 162/16. It is the appellant's case that he was not served notice in the case, however, para 3 of the impugned order records as under:-

“3. The DAR in respect of the above accident was filed before this tribunal on 01.02.2016 and though, R-1 & R-2 had both put in appearance in beginning of the inquiry itself, but they had failed to file on record any reply to the DAR....”

2. The present appellant is the registered owner of the offending vehicle. The learned counsel for the appellant fairly concedes that the registered owner of the vehicle will be held responsible apropos payment of compensation as may be fixed in motor vehicle accident claim. He contends

that there are transfer documents on record such as Form-29 and Form-30, showing that the vehicle had been sold prior to the date of the motor accident and the vehicle was neither in his possession nor in his control at the time of such accident; that the subsequent purchaser had not moved the appropriate application for transfer of the said vehicle; the appellant was under the impression that there would be no liability against him and he had also appeared in the settlement proceedings, as recorded by the learned Tribunal.

3. Be that as it may, insofar as the appellant is the registered owner and the position of liability being unambiguous, apropos the liability of payment of compensation, the impugned order calls for no interference. It will, however, be open to the appellant to pursue his remedies as may be available in law.

4. The appeal is disposed-off in the above terms.

5. The statutory amount, alongwith interest accrued thereon, be returned to the appellant.

OCTOBER 16, 2019

AB

NAJMI WAZIRI, J