

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

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**FAO-15805-2018 (O&M)
Date of Decision : 22.01.2020**

Master Prashant

..... Appellant

Vs.

Naresh Kumar and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present : Mr.Sandeep Kumar Rana, Advocate
for the appellant.

RAJIV NARAIN RAINA, J. (Oral)

The finding of the Motor Accident Claims Tribunal, Faridabad in the award dated 03.05.2018 which has been appealed from, is that there is no evidence on record to prove the nexus of the motorcycle HR-29-AC-7587 with the accident. The pillion rider of the alleged offending motorcycle is unknown and, therefore, the present appellant has no claim to compensation from the driver, owner or insurer. The date of alleged accident is 12th of October, 2016 in which Nar Singh, uncle of the appellant was on the handle bar. The story set up was that two motorcycles collided leading to the injury on Master Prashant. The injured was discharged after treatment on 09.10.2016 and the complaint to the police was lodged on 06.11.2016. This is another reason where the Tribunal has thought it material is the delay of 25 days in lodging FIR. The case has been decided by the Tribunal on facts and by appreciating the evidence on record and the lack of it.

This Court finds no reason to interfere in the well reasoned award of the Tribunal.

The appeal is dismissed.

22.01.2020
anju

(RAJIV NARAIN RAINA)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No