

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

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**FAO No.5605 of 2019
Date of Decision:-15.12.2022**

Ramji Dass

...Appellant

Versus

Rakesh Kumar Malhotra @ Rakesh Kumar and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. C.L. Sharma, Advocate
for the appellant.

NIDHI GUPTA J.(Oral)

This is an appeal filed by the claimant against dismissal of his claim petition by the Motor Accident Claims Tribunal, Hoshiarpur vide Award dated 08.07.2019. Admittedly, the claim was denied only on the ground that the claimant is the cousin brother of the deceased and is therefore not entitled to any compensation. Learned counsel refers to ***Oriental Insurance Company Ltd. vs. Mother Superior, S.H. Convent and others*** 1994 ACJ 673 and ***Dr. Gangaraju Sowmini vs. Alavala Sudhakar Reddy and another*** 2016(2) RCR (Civil) 837.

In my considered view, both the judgments cited by learned counsel for the appellant, are distinguishable as the facts and circumstances of both these cases are different from the facts of the present case.

Accordingly, I find no error in the Award dated 08.7.2019

passed by the Tribunal. Hence, the present appeal is hereby dismissed.

December 15, 2022
Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No