

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

144

2023:PHHC:103263

CR-1671-2022

Date of decision: 09.08.2023

JASWINDER SINGH

..Petitioner

Versus

SACHIN KAPOOR AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jasdev Singh Mehndiratta, Advocate
for the petitioner.

Mr. G.S. Dhindsa, Advocate
for respondent No.4.

ANIL KSHETARPAL, J(Oral)

1. The petitioner herein, is the owner of the vehicle that met with an accident, and he has filed an application to implead the owner of the agency, that has sold the vehicle and the application, has been dismissed by the Tribunal. The petitioner alleges that the aforesaid owner of the agency has played fraud as without getting the vehicle validly insured, the vehicle was registered with the registering authority under the Motor Vehicle Act, 1988.

2. The learned counsel representing the petitioner submits that it was incumbent on the agency owner to get the vehicle insured before selling the same to the petitioner. He submits that if the aforesaid agency owner is impleaded as party, the entire dispute will be decided on one go.

3. This Court has considered the submissions of the learned counsel representing the petitioner.

4. The Motor Accident Claims Tribunal has been constituted by the appropriate authority to assess the amount of compensation payable to

the claimant if the driver of the offending vehicle was driving the vehicle in

a rash and negligent manner. The dispute arising between the owner of the vehicle and the owner of the agency will go beyond the scope of the Tribunal as the purpose will be defeated.

- 5. In the aforesaid circumstances, the petitioner, if so advised, may avail alternative remedy against the agency owner.
- 6. With these observations, the present petition is disposed of.
- 7. All the pending miscellaneous applications, if any, are also disposed of.

August 09th, 2023
Ay

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No