

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

112

2024:PHHC:059609

**FAO-2417-1999**

**Date of decision: 01.05.2024**

**SUBHASH**

**..Appellant**

**Versus**

**OM PARKASH GUPTA & ANR.**

**..Respondents**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Sanjiv Gupta, Advocate  
for the appellant.

Mr. Suman Jain, Advocate  
and Mr. Manmohan, Advocate  
for respondent No.2.

**ANIL KSHETARPAL, J(Oral)**

1. This is claimant's appeal challenging the correctness of the award passed by the Motor Accident Claims Tribunal (hereinafter referred to as the 'Tribunal') while dismissing his claim petition filed under Section 163-A of the Motor Vehicles Act, 1988 (hereinafter referred to as the '1988 Act'). It has come on record that the appellant at the time of accident was driving 'Maruti' car and he hit a parked truck. There was no permanent disability. The Court has held that in absence of permanent disability, claim petition filed under Section 163-A of the 1988 Act is not maintainable. Moreover, the Court has held that the appellant stepped into the shoes of the owner, hence, the petition was also not maintainable.

2. The learned counsel representing the appellant though made a sincere attempt, however, failed to draw the attention of the Court to any substantive error in the impugned order.

3. Hence, dismissed accordingly.

4. All the pending miscellaneous applications, if any, are also disposed of.

May 01<sup>st</sup>, 2024

Ay

(ANIL KSHETARPAL)  
JUDGE

*Whether speaking/reasoned* : *Yes/No*  
*Whether reportable* : *Yes/No*