

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Revision No.2089 of 2024
Date of Decision: 08.04.2024

Satbir Singh

...Revisionist-Petitioner

Versus

Jaswinder & others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Ms. Aarti Sharma, Advocate,
for the revisionist-petitioner.

* * * *

MEENAKSHI I. MEHTA, J. (ORAL)

Feeling aggrieved by the order (Annexure P-3) handed down by learned Motor Accident Claims Tribunal, Panipat (for short 'the Tribunal') on 31.01.2024 in *MACP No.196 of 2023* titled as '*Jaswinder vs. Ajay & others*', whereby the application (Annexure P-1) filed by the petitioner-respondent No.2 (here-in-after to be referred as 'the petitioner') under Order 1 Rule 10 CPC with the prayer to implead Devender Singh son of Rajender Singh as party to the above-referred Claim Petition, has been dismissed, he (petitioner) has chosen to prefer the instant revision-petition to lay challenge to the same.

2. I have heard learned counsel for the petitioner-respondent no.2 in the present revision-petition, at the preliminary stage and have also perused the file carefully.

3. Learned counsel for the petitioner contends that though the name of the petitioner does find mention in the Registration-Certificate of the alleged offending vehicle, as its owner but in fact, he had sold the same to the afore-

said Davender Singh on 15.06.2019 much prior to the date of the accident in question, i.e 12.02.2023 and the above-named vendee had sworn an affidavit to this effect on 24.02.2023 and hence, he (vendee), being the actual owner of the afore-mentioned vehicle, is a necessary party to the above-said Claim Petition for its proper, just and effective adjudication but vide the impugned order, the Tribunal has wrongly dismissed the application (Annexure P-1) as moved by the petitioner for this purpose and therefore, the said order is not legally sustainable and deserves to be set-aside.

3. However, the afore-raised contentions are devoid of any merit because throughout in his application (Annexure P-1), the petitioner has not come forward with any candid and plausible explanation as to why the name of the said vendee had not been got incorporated/substituted in the Registration Certificate of the vehicle in question till the date of accident, i.e even after the lapse of almost 03 years and 09 months from the date of its above-alleged sale/transfer. To add to it, the afore-named vendee had sworn the affidavit regarding the alleged sale of the above-said vehicle to him on 24.02.2023, i.e explicitly 12 days after the accident in question had taken place.

4. As a sequel to the fore-going discussion, it follows that the impugned order does not suffer from any illegality, irregularity, infirmity or perversity so as to warrant any interference by this Court. Resultantly, the revision-petition in hand, being bereft of any merit, stands dismissed.

08.04.2024

seema

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No