



In the High Court of Punjab and Haryana at Chandigarh

[202]

FAO-1597-2004  
Date of Decision: 19.09.2024

RAVINDER KAUR BAKSHI ..... APPELLANT

VERSUS

GURPREET SINGH BAKSHI AND OTHERS .....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Ekta Thakur, Advocate and  
Ms. Muskan Goyyal, Advocate for the appellant.

Mr. D.R. Bansal, Advocate for respondent  
No.3-Insurance Company.

\*\*\*

SANJAY VASHISTH, J. (ORAL)

1. The injured/claimant, namely, Ravinder Kaur Bakshi being appellant before this Court has filed the present appeal by challenging the Award dated 17.01.2004 passed by the Motor Accident Claims Tribunal, Chandigarh (hereinafter referred to as '*the learned MACT, Chandigarh*'), whereby, the MACT Case No.87 dated 23.07.2002 was dismissed by observing that the injured/claimant has miserably failed to establish on record that *Car No.CH-03-8551* was involved in any accident or that she sustained injuries during the course of accident.

2. During the course of hearing, this Court has again put it to the claimant/appellant to refer any piece of evidence, even at this stage, to establish the fact that the *Car No.CH-03-8551* allegedly being driven by respondent No.1-Gurpreet Singh Bakshi (son of the claimant/injured) had met with an accident with one jeep bearing *No.RRK-7576*, in front of

Skylark Hotel at Panipat on 11.12.2000. Till date, no such document or



evidence has been produced before this Court, also by the claimant/appellant.

3. It is also noticed that the driver, owner or Insurance Company of the said jeep, were also not impleaded as parties in the original claim petition. Even, claimant/injured has alleged the act of rash and negligent driving of driver of *Car No.CH-03-8551*, who is against her own son i.e. respondent no.1 and, thus, has filed the claim petition under Section 163-A of the Motor Vehilcel Act, 1988.

However, the first and foremost fact which requires its proving, is the happening of accident and the claimant failed in adducing any evidence in that regard.

4. Therefore, in the totality of the facts and circumstances, as discussed by the Tribunal in its Award dated 17.01.2004 and the reason that no evidence has also been adduced before this Court by the appellant, the findings recorded by the First Court i.e. the Motor Accident Claims Tribunal, Chandigarh, are not required to be interefered with.

5. Consequently, the appeal is hereby dismissed.

(SANJAY VASHISTH)  
JUDGE

September 19, 2024

ANJAL

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |