

FAO-351-2004 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO-351-2004 (O&M)
Reserved on : 11.03.2024
Date of Decision : 20.03.2024

Balvinder Singh

....Appellant

VERSUS

Vishnu Pal and Others

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Ms. Kanchan Sindhu, Advocate for
Mr. Pritam Saini, Advocate for the appellant.

ALKA SARIN, J.

1. The present appeal has been filed by the claimant-appellant challenging the award dated 20.11.2003 passed by the Motor Accident Claims Tribunal, Kurukshetra (hereinafter referred to as 'Tribunal') whereby the claim petition filed by the claimant-appellant has been dismissed.
2. Learned counsel for the claimant-appellant would contend that the accident in the present case stood duly proved, however, the Tribunal on the basis of minor discrepancy dismissed the claim petition. It is further the contention of the learned counsel that it was amply proved on the record that the registration number of the vehicle was 4185 and not 4813.
3. I have heard the learned counsel for the claimant-appellant.

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4. In the present case the Tribunal, after detailed discussion, held that initially the registration number as given by the claimant-appellant was 4183 and subsequently the said number was changed to 4185. It has come on the record that the claimant-appellant and Angrej Singh remained at the spot for ten minutes and probably much longer. Lakhvinder Singh stated that they had also deflated the front tyre of the tractor at the spot and hence the Tribunal found that it could not have been a mistake in noting the number. The contradictions in the statements made from time to time has come in the evidence in the criminal case and cannot be overlooked. It was also observed by the Tribunal that there was no damage either to the tractor or to the scooter. The learned counsel for the claimant-appellant has not been able to convince this Court that the Tribunal had erred in any manner in dismissing the claim petition. No other point was argued.

5. In view of the above, I do not find any merit in the present appeal which is accordingly dismissed. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

20.03.2024
Yogesh Sharma

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO