

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

526

FAO No.5651 of 2010 (O&M)
Date of Decision : 22.04.2024

Rohtash

....Appellant

VERSUS

Shazaad Ahmad and Others

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Tajveer Singh Gaba, Advocate for
Mr. Munish Kumar Garg, Advocate for the appellant.

Mr. Suvir Dewan, Advocate for respondent No.3.

Mr. Vipul Sharma, Advocate for
Mr. P.S. Saini, Advocate for respondent No.6.

ALKA SARIN, J. (Oral)

1. The present appeal has been preferred by the claimant-appellant aggrieved by the award passed by the Motor Accident Claims Tribunal, Jind (hereinafter referred to as the 'Tribunal') whereby claim of the claimant-appellant for compensation on account of damages to his vehicle Mahendra Jeep bearing registration No.HR-56-4132 was dismissed.

2. The claimant-appellant filed a claim petition claiming damages to his vehicle on the ground that Rs.1,05,000/- had been spent by him on the repair and replacement of new parts. It was the case set up by the claimant-appellant that spot survey was conducted by HC Mahesh Chand and a report was issued on 26.04.2008 qua Mahendra Jeep bearing registration No.HR-56-4132. It was further the case set up that the vehicle remained parked in

the workshop/mechanic shops of various famous mechanics and that he spent Rs.1,05,000/- on its repair. Some photographs were also produced which were marked as Mark 20 and Mark 21. In his cross-examination the claimant-appellant admitted that he never moved any application to the Insurance Company regarding the claim for his vehicle repairs.

3. The Tribunal held that there was no evidence on the record qua the damages to the vehicle. No bills for repairs were produced on the record to indicate the extent of the damage or the repairs which were carried out. In the absence of any evidence, the claim of the claimant-appellant was rightly dismissed by the Tribunal.

4. In view of the above, I do not find any illegality or infirmity in the impugned award passed by the Tribunal. The present appeal being devoid of any merit is accordingly dismissed. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

22.04.2024
jk

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