



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

CWP-6961-2000 (O & M)
Date of Decision: 28.02.2025

Sarjant Singh

.....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Ms. Anamika Sheoran, Advocate,
for Mr. Vikas Singh, Advocate,
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J.

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 18.10.1999 (Annexure P-4) whereby Senior Superintendent of Police, Barnala has ordered to recover from him 20% of compensation awarded by Motor Accident Claims Tribunal, Bathinda to the claimant.

2. The petitioner joined Punjab Police as Driver. While he was on duty, his vehicle met with an accident. One person died in the accident. His dependents filed claim before Tribunal in terms of Motor Vehicle Act, 1988 (for short '1988 Act'). The Tribunal along with interest awarded compensation of Rs. 1,68,000/- to claimants in terms of Section 140 of 1988 Act.

3. The respondent by impugned order, ordered to recover 20% of awarded compensation from the petitioner.

4. The amount awarded by Tribunal as compensation was Rs. 1,68,000/- and as per impugned order, petitioner has to pay 20% of said amount.



This Court, vide order dated 06.08.2002 while issuing notice of motion stayed recovery to the extent of 50% of the amount sought to be recovered.

5. Considering the amount involved and the fact that petitioner has been acquitted in trial, this Court does not find it appropriate to dilate on intricacies and arguments of both sides and find it appropriate to make the interim order dated 06.08.2022 absolute.

6. Pending miscellaneous application(s), if any, shall also stand disposed of.

28.02.2025
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking	Yes
Whether reportable	No