

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****341****FAO-304-2020 (O&M)****Reserved on : 16.07.2025****Pronounced on : 21.07.2025**

PEPSU Road Transport Corporation

....Appellant

VERSUS

Renu Rani and Others

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Aman Sharma, Advocate for the appellant.

ALKA SARIN, J.

1. Present appeal has been filed by the PEPSU Road Transport Corporation i.e. owner of the Bus bearing registration No.PB-11-BF-7390 (hereinafter referred to as the 'offending vehicle') challenging the award dated 02.08.2019 passed by the Motor Accident Claims Tribunal, Patiala (hereinafter referred to as the 'Tribunal') whereby claimants were awarded a compensation of ₹15,82,000/-.

2. The brief facts relevant to the present *lis* are that on 23.01.2018, Manish Pal (hereinafter referred to as the 'deceased') was going towards Patiala side from village Shutrana on his motorcycle bearing no. PB-10-CE-5387 on the correct left side of the road at a moderate speed. At about 04.25 pm, when he reached a little ahead of village Chohanth on Samana-Patiala road, the offending vehicle came from opposite side, which was being driven at a very high speed in a rash and negligent manner by respondent No.4 herein and hit the motorcycle of the deceased due to which he received multiple grievous injuries on his head and died at the spot. The driver of the

offending vehicle ran away from the spot after causing the accident. FIR (Ex.C1/R1) was registered against the driver of the offending vehicle.

3. Learned counsel for the appellant would contend that the findings of the Tribunal on issue No.1 as regards the rash and negligent driving of the offending vehicle by its driver i.e. respondent No.4 herein is erroneous inasmuch as no independent eye-witness has been examined by the claimants before the Tribunal and that the alleged eye-witness i.e. CW1 Mahinder Pal was an interested witness being father of the deceased.

4. Heard.

5. In the present case, regarding the accident in question FIR (Ex.C1/R1) was registered on the statement of Mahinder Pal, father of the deceased, who stepped into the witness-box as CW1 and deposed regarding happening of the accident. It is not in dispute that charge-sheet qua FIR (Ex.C1/R1) was filed against respondent No.4, driver of the offending vehicle and he has been facing trial thereof. The Tribunal has observed that the eye-witness i.e. CW1 Mahinder Pal was cross-examined at length but nothing material could be elicited to falsify the case of the claimants.

6. The argument of learned counsel for the appellant that no independent eye-witness has been examined deserves to be rejected in view of the judgment of Hon'ble Supreme Court in case of **Ranjeet & Anr. vs. Abdul Kayam Neb & Anr. [Civil Appeal No.3219 of 2025] decided on 25.02.2025**, wherein it has been held as under:

“4. It is settled in law that once a charge sheet has been filed and the driver has been held negligent, no further evidence is required to prove that the bus was being negligently driven by the bus driver. Even if the

eyewitnesses are not examined, that will not be fatal to prove the death of the deceased due to negligence of the bus driver.”

7. Further, the Tribunal has rightly given weightage to the evidence recorded before it and there is no error in the findings of the Tribunal on issue No.1. Keeping the law laid down by Hon’ble Supreme Court in case of **Ranjeet** (*supra*), no fault can be found with the impugned award.

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

(ALKA SARIN)
JUDGE

21.07.2025
jk

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