



CR-5554-2025

-1-

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

123

CR-5554-2025

Date of decision :20.08.2025

PUNJAB ROADWAYS TRANSPORT CORPORATION**... PETITIONER****VERSUS****NATIONAL INSURANCE COMPANY AND OTHERS****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL**

Present: Mr. Raman B. Garg, Advocate and
Mr. Mayank Garg, Advocate
for the petitioner.

Mr. Akhil Kamra, AAG, Punjab.

PARMOD GOYAL, J. (ORAL)

Vide present revision petition, petitioner has challenged order dated 08.11.2024 whereby in execution petition filed by National Insurance Company, warrant of attachment of property of the judgment debtor/petitioner was ordered to be issued as judgment debtor/petitioner had failed to make the due payment.

2. Learned counsel for the petitioner submits that petitioner was only liable to make payment to the extent of 1/3rd amount and remaining payment was to be paid by the driver as well as owner of bus. However, this contention raised on behalf of learned counsel for the petitioner cannot be gone into for a simple reason that rights of parties stand crystalized by award passed by Motor Accident Claims Tribunal, Moga vide award dated 10.08.2017, which has attained finality. While deciding issue No. 6, learned Tribunal has duly noticed that driver of



offending vehicle i.e. respondent No. 2 Inderjit Singh was not possessing driving license and accordingly issue No. 6 was decided in favour of respondent No. 6 – Insurance Company. However, Insurance Company was asked satisfy award subject to recovery rights granted to it. In pursuant of those recovery rights granted to Insurance Company vide award dated 10.08.2017, after paying compensation to claimant, Insurance Company had filed execution wherein petitioner being one of the JDs appeared and paid 1/3rd amount claiming that its liabilities are to the extent of 1/3rd.

3. However, perusal of award shows no order has been passed vide award limiting the liability of petitioner to the extent of 1/3rd. Driver, owner of vehicle as well as present petitioner, they all were found liable to pay compensation jointly and severally. Therefore, no error with the approach of learned Executing Court in recovering amount from present petitioner can be found. No interference is warranted. However, it is made clear that petitioner shall be within his legal rights to recover amount from owner/driver of offending vehicle as per his legal rights in accordance with law.

4. Accordingly, present appeal is dismissed.

20.08.2025
manoj

(PARMOD GOYAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No