



CR No. 5763 of 2025 (O&M) -1-

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

**CR No. 5763 of 2025 (O&M)
DATE OF DECISION: 26.08.2025**

MANOJ

.....PETITIONER

Vs.

SAT KAUR AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Jagjeet Beniwal, Advocate,
for the applicant-petitioner (through VC)

AMARINDER SINGH GREWAL, J.

CM No. 16882-CII-2025

Application for exemption is allowed, as prayed for.

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1. Prayer in the present Civil Revision Petition, filed under Article 227 of the Constitution of India, is for setting aside the impugned order dated 17.07.2025 (Annexure P-11), passed by the learned Motor Accidents Claims Tribunal, Bhiwani (for short, '*the Tribunal*'), whereby the applications dated 06.04.2024 (Annexures P-6 and P-7), filed by the petitioner in both claim petitions seeking impleadment of Rajesh, son of Mahender Singh, have been dismissed.

2. Brief facts of the case are that Satkaur and another filed a claim petition under Section 166 of the Motor Vehicles Act, 1988, read with the Motor Vehicles (Amendment) Act, 1994, on account of the death of Rinku, son of Ramesh Kumar, resident of Village Dhani Ladanpur, Tehsil and District Bhiwani, who succumbed to the injuries sustained in a



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motor vehicle accident caused by respondent No. 1, Ajib Singh alias Gugal Singh (before the learned Tribunal), by driving vehicle bearing registration No. HR-84-2331 in a rash and negligent manner, along with others.

2.1 During the pendency of the case, an application under Order I Rule 10 of the Code of Civil Procedure, 1908 (for short, *the CPC*), for impleading Rajesh, son of Mahender Singh, was moved by the present petitioner. It is submitted that the petitioner, Manoj, in the aforesaid application, stated that respondent No. 2 had sold his vehicle bearing registration No. HR-84-2331 to the said Rajesh on 14.02.2019, and in this regard, an agreement was executed on the same date (Annexure P-9). It was further submitted that a Special Power of Attorney was also executed in favour of Rajesh on 14.02.2019 (Annexure P-10). Hence, with effect from 14.02.2019, Rajesh, son of Mahender Singh, became responsible for the aforesaid vehicle in question. Thus, Rajesh is a necessary party for the proper adjudication of the case.

2.2 Notice of the said petition was given to the respondents who filed the reply.

2.3 The learned Motor Accidents Claims Tribunal, after hearing the respective counsel for the parties, dismissed the application by holding that Rajesh, son of Mahender Singh, is not the registered owner of the 'offending vehicle'.

3. Learned counsel for the petitioner has contended before this Court that since the petitioner, Manoj, had sold the vehicle bearing registration No. HR-84-2331 to Rajesh, son of Mahender Singh, on 14.02.2019, and an agreement to this effect was also executed on the same date, Rajesh thereby became responsible for the aforesaid vehicle. It is



further submitted that even after the accident, Rajesh, son of Mahender Singh, had taken the vehicle on '*Sapurdari*'. Thus, as Rajesh is in possession of the 'offending vehicle' and is the owner thereof on the basis of the agreement dated 14.02.2019 (Annexure P-9), he ought to have been impleaded as a necessary party by the learned Tribunal. Accordingly, it was prayed that the revision petition be allowed, the impugned order dated 17.07.2025 (Annexure P-11) be set aside, and Rajesh be impleaded as a party before the learned Motor Accidents Claims Tribunal.

4. I have heard learned counsel for the revisionist-petitioner and perused the paper-book.

5. In view of the order proposed to be passed, notice is not being issued to the respondents as the same would delay the proceedings besides entailing additional expense to them.

6. After hearing the submissions of learned counsel for the petitioner, though reliance was placed on the agreement dated 14.02.2019 (Annexure P-9), this Court is of the considered view that even if the petitioner Manoj had sold the aforesaid vehicle to Rajesh, son of Mahender Singh, vide agreement of sale dated 14.02.2019 (Annexure P-9), yet Rajesh never got the vehicle transferred in his name before the registering/licensing authority. Since the vehicle continues to stand registered in the name of the petitioner, it cannot be held that Rajesh has become the registered owner of the said vehicle.

7. Thus, this Court finds no merit in the prayer for setting aside the impugned order.



8. Finding no illegality or infirmity in the order dated 17.07.2025 (Annexure P-11), passed by the learned Motor Accidents Claims Tribunal, Bhiwani, the present revision petition, being devoid of merit, is accordingly dismissed.

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

AUGUST 26, 2025
nitin

(AMARINDER SINGH GREWAL)
JUDGE

Whether Speaking	Yes
Whether Reportable	No