

**221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****FAO No. 2383 of 2002 (O&M)
DATE OF DECISION: 20.04.2026****SURESH KUMAR BHALLA****.....APPELLANT****Vs.****OM PARKASH SURINDER MOHAN AND OTHERS****.....RESPONDENTS****CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL****Present: Mr. Ashok Bector, Advocate,
for the appellant.****Mr. Pardeep Goyal & Ms. Ayushi Jain, Advocates,
for respondent No. 3-insurance company.*************AMARINDER SINGH GREWAL, J.****PRAYER**

1. The present appeal has been preferred against the Award dated 23.05.2000 passed by the learned Motor Accident Claims Tribunal, Rupnagar (for short 'the Tribunal') whereby the claim petition filed by the appellant under Section 166 of the Motor Vehicles Act, 1988 has been dismissed.

1.1 The prayer in the present appeal is for setting aside the impugned Award and for grant of compensation on account of death of Manish Bhalla (son of the appellant) in the alleged motor vehicular accident.

**FACTS**

2. Briefly stated, the appellant-claimant filed claim petition under Section 166 of the Motor Vehicles Act, 1988 on account of death of Manish Bhalla in an alleged motor vehicular accident.

2.1 As per the case set up by the claimant, on 22.09.1996 at about 9:30 A.M., Manish Bhalla was returning to Ropar from '*Mata Naina Devi Ji*' on a scooter bearing registration No. PB-12A-7177, along with one Yadbinder Singh. When they reached near Village Allipur, a truck bearing registration No. HP-07-3360, driven by respondent No. 2 in a rash and negligent manner and at a high speed, came from the opposite side and struck against the scooter.

2.2 As a result of the impact, Manish Bhalla fell on the road and sustained multiple injuries. He was immediately removed to the Civil Hospital, Ropar, where he was admitted and remained under treatment.

2.3 From the medical record, it has come on record that the injured was admitted in Civil Hospital, Ropar on 22.09.1996, and after receiving treatment for the injuries, including fractures, he was discharged on 28.09.1996 in a satisfactory condition. Thereafter, he continued to attend the hospital for follow-up treatment.

2.4 It has further come in evidence that the deceased was again examined on 30.10.1996 by a private medical practitioner, and was also treated at Sector-21, Chandigarh, where he remained admitted and was subsequently discharged on 05.11.1996 after treatment, including surgical intervention relating to the injuries.



2.5 The medical evidence further reveals that the patient had recovered from the injuries and follow-up X-ray reports showed satisfactory condition.

2.6 The appellant-claimant, however, alleged that despite treatment, the deceased continued to suffer complications and ultimately, on 15.09.1997, he died after suffering a brain haemorrhage. It was alleged that the said death was a consequence of the injuries sustained in the accident.

2.7 It was further pleaded that the deceased was about 21 years of age, unmarried, and earning approximately ₹6,000/- per month as a shopkeeper, and the claimants, being his parents, were dependent upon his income.

2.8 Accordingly, a compensation to the tune of ₹10,00,000/- was claimed on account of death, along with Rs. 20,000/- towards damage to the scooter.

2.9 Upon notice, the respondents appeared and contested the claim petitions by filing written statements, raising various preliminary objections and denying the allegations made by the claimants. On the basis of the pleadings, issues were framed and evidence was led by the parties. After appreciating the oral as well as documentary evidence available on record, the learned Tribunal, vide Award dated 23.05.2000, came to the conclusion that the claimants had failed to establish that the death of Manish Bhalla had occurred on account of the injuries sustained in the accident and, accordingly, dismissed the claim petition.

**ARGUMENTS ON BEHALF OF THE APPELLANT**

3. Learned counsel for the appellant-claimant contends that the learned Tribunal has erred in dismissing the claim petition despite there being sufficient evidence to establish that the accident occurred due to rash and negligent driving of the offending truck.

3.1 It is argued that the deceased had sustained injuries in the accident and remained under continuous treatment, and therefore, the subsequent death ought to have been held as a consequence of the injuries sustained in the accident.

3.2 It is further submitted that the Tribunal failed to properly appreciate the medical evidence and erred in discarding the testimony of the witnesses produced by the claimants.

ARGUMENTS ON BEHALF OF THE INSURANCE COMPANY

4. *Per contra*, learned counsel for respondent No. 3-the Insurance Company submits that the impugned Award is well-reasoned and does not call for any interference.

4.1 It is contended that even if the accident is assumed to have taken place due to rash and negligent driving, there is no cogent evidence on record to establish that the death of Manish Bhalla was on account of the injuries sustained in the accident.

4.2 It is further argued that the medical evidence clearly shows that the deceased had recovered from the injuries and was discharged in satisfactory condition, and the death occurred nearly one year later due to brain haemorrhage, which had no connection with the accident.

**FINDING**

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. A perusal of the Award shows that the learned Tribunal has elaborately dealt with the matter, particularly in paragraph No. 15 (page 14 of the paper book), wherein it has been categorically held that although the deceased had sustained injuries in the accident, his death was not on account of the said injuries.

7. The Tribunal has relied upon the medical evidence on record, which clearly establishes that:

- The deceased was discharged from the hospital in a satisfactory condition shortly after the accident;
- There is no medical evidence to show that the injuries were sufficient to cause death;
- No doctor was examined to prove any nexus between the injuries and the subsequent death;
- The death occurred on 15.09.1997 due to brain haemorrhage, which was found to have no direct or indirect connection with the injuries sustained in the accident.

8. The relevant finding of the learned Tribunal is that the claimants have failed to prove the causal connection between the accident and the death of the deceased, which is a *sine qua non* for grant of compensation in such cases.



9. The said finding is based on proper appreciation of evidence and does not suffer from any perversity or illegality.
10. Once the claimants failed to establish that the death was a result of the injuries sustained in the accident, the very foundation of the claim petition stands demolished.
11. In view of the above, this Court finds that the learned Tribunal has rightly dismissed the claim petitions.
12. No ground is made out to interfere with the well-reasoned findings recorded by the learned Tribunal, particularly the findings recorded in paragraph No. 15 of the Award.
13. The present appeal, being devoid of merit, is accordingly dismissed.
14. Pending miscellaneous application(s), if any, shall also stand disposed of.

APRIL 20, 2026

(AMARINDER SINGH GREWAL)

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JUDGE

Whether Speaking

Yes

Whether Reportable

No