



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

(227)

FAO No. 4188 of 2004(O&M)**Date of Decision: 10.02.2026****Raj Kumar****...Appellant****Versus****Pritpal Singh and another****...Respondents****CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL**

Present: Ms. Shikha Yadav, Advocate for
Mr. Rahul Deswal, Advocate
for the Appellant.

Mr. Paul S.Saini, Advocate
for the Respondent no.2-Insurance Company.

VIRINDER AGGARWAL,J (Oral)

1. The present appeal has been filed by the appellant under Section 173 of the Motor Vehicles Act, 1988, challenging the award dated 10.02.2004 passed by the learned Motor Accident Claims Tribunal, Ambala, whereby the claim petition filed by the appellant seeking compensation for damage to his vehicle was dismissed.

2. The facts, in brief, are that on 06.12.2001, the appellant's vehicle (Truck bearing no. HR-E-3403) was involved in a motor vehicular accident with the offending vehicle (Truck bearing no. HR-37-5092) owned by respondent No.1 and insured with respondent No.2-Insurance Company. It was the case of the appellant that the accident occurred due to the rash and negligent driving of the offending vehicle, as a result of which his vehicle sustained substantial damage, causing financial loss. On the basis of the said accident, the appellant filed a claim petition before the learned Tribunal seeking compensation for the sum of

Rs.4 Lacs towards the cost of repairs and consequential loss. The learned Motor



Accident Claims Tribunal, Ambala, after appreciating the evidence on record, dismissed his claim petition. The learned Tribunal held that although the accident itself was not disputed, the appellant had failed to prove, by cogent and reliable evidence, the extent of damage to the vehicle and the actual expenditure incurred on repairs. On these findings, the claim of the appellant was declined.

3. During the course of hearing, with a view to amicably resolve the dispute and in the interest of justice, this Court proposed to the parties that the appellant be paid a lump sum compensation of Rs. 50,000/- (Rupees Fifty Thousand only) by the respondent No.2-Insurance Company towards full and final settlement of all claims arising out of the accident in question. The said compensation shall be without any interest.

4. Learned counsel for the appellant, after obtaining instructions from his client, has accepted the proposal. Learned counsel for the respondent has also agreed to the proposal on behalf of the Insurance Company.

5. Accordingly, the respondent No. 2-National Insurance Company Limited is directed to pay a sum of Rs. 50,000/- (Rupees Fifty Thousand only) to the appellant within a period of six weeks from today. In case the payment is not made within the stipulated period of six weeks, the amount shall carry interest at the rate of 7% per annum from the date of expiry of the six weeks till the date of actual payment.

6. The appeal is disposed of in the above terms. Pending applications, if any, shall also stand disposed of.

10.02.2026

Saurav Pathania

**(VIRINDER AGGARWAL)
JUDGE**

Whether reasoned / speaking? *Yes / No*
Whether reportable? *Yes / No*