



CR-3999-2026 (O&M)

- 1-

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

126

**CR-3999-2026 (O&M)
Date of decision: 12.05.2026**

PREM CHAND**....Petitioner****Versus****SUNITA AND ORS.****...Respondents****CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present : Ms. Indu Bala, Advocate for the petitioner.

YASHVIR SINGH RATHOR. J.(Oral)

1. This revision petition is directed against the order dated 09.04.2026 (Annexure P-4) vide which an application under Order 1 Rule 10(2) CPC moved by respondent No.2, who is the registered owner of the offending vehicle has been dismissed.
2. I have heard learned counsel for the petitioner and have gone through the material placed on the file.
3. As per version of applicant, he had sold the offending vehicle to one Rajesh Kumar, vide Power of Attorney dated 25.09.2019 and he did not have any connection, control or possession of the said vehicle and it is the purchaser namely Rajesh Kumar, who was in actual possession of the said vehicle being its owner as on the date of accident and he is thus liable to pay compensation to the claimant.
4. Learned Tribunal after going through the law laid down by the Hon'ble Supreme Court and Co-ordinate Bench of this Court rejected the application and observed as under:-

“2. *In Vipin Sharma versus Jagwant Kaur and others 2005(4)*



RCR Civil 40, it was categorically held by Hon'ble Punjab and Haryana High Court that liability of the registered owner continues till the registration continues in his name even if the vehicle stood sold or transferred. Furthermore, in *Naveen Kumar versus Vijay Kumar and others*, law Finder doc ID # 970642, Hon'ble Supreme Court held that for the purposes of Motor Vehicle Act, the person whose name is reflected in the record of the registering authority is the owner and therefore, liability of the registered owner of the offending vehicle to pay compensation. The said position of law was again reiterated by Hon'ble Supreme Court in *Parkash Chand Daga versus Saveta Sharma and others 2019(1) RCR civil 372* wherein the Hon'ble Supreme Court noted the definition of the term "owner" as provided in section 2(30) of Motor Vehicle Act, according to which, it is the person in whose name the motor vehicle stands registered who, for the purposes of the act, would be treated as the owner. It was held that where the registered owner has purported to transfer the vehicle but continues to be reflected in the records of the registering authority, would remain to be the owner of the vehicle and he would not stand absolved of liability to pay compensation. The underlying principle is that the victim of a motor accident or in case of death, the legal heirs of the deceased victim should not be left in a state of uncertainty. A claimant for compensation ought not to be burdened with following a trail of successive transfers, which are not registered with the registering authority and to hold otherwise, would be to defeat the salutary object and purpose of the act. Hon'ble Supreme Court categorically summarised the law that there can be a transfer of ownership of vehicle by payment of consideration and delivery of car, but for purposes of motor vehicle act, the person whose name is reflected in the records of the registering authority would be held as the owner and such person would remain liable to third persons in case of accident.

3. In view of the above said law, since the offending vehicle is registered under the name of respondent no.2 in the record of registering authority, he would continue to remain liable to third person in case of accident and hence, the above said application is hereby dismissed. "

5. No illegality, infirmity or manifest error has been committed by the



CR-3999-2026 (O&M)

- 3-

learned Tribunal while rejecting the application and reliance has rightly been placed upon judgment rendered by the Hon'ble Supreme Court in **Parkash Chand Daga's case (supra)**, as reproduced above, wherein the Hon'ble Supreme Court has held that the term "owner" as provided in Section 2(30) of Motor Vehicles Act means the person in whose name the motor vehicle stands registered who, for the purposes of the Act, would be treated as the owner. It has been further held that merely because the registered owner has purported to transfer the vehicle but continues to be reflected in the records of the registration authority, he would remain to be the owner and will not be absolved of his liability to pay compensation to the victim.

6. Resultantly, the petition in hand is ordered to be dismissed being meritless.

(YASHVIR SINGH RATHOR)
JUDGE

12.05.2026
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Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No