



112 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-2106-1997

Date of decision : 30.07.2025

BAJINDER KAUR AND OTHERS

....Appellants

Versus

STATE OF HARYANA AND OTHERS

....Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Rajinder Goel, Advocate,
Mr. Purusharth Dhull, Advocate and
Mr. Tushar, Advocate for the appellants.

Ms. Dewangana Chhillar, DAG, Haryana.

Mr. Simranpreet Singh, Advocate for
Mr. Vikram Singh, Advocate for respondent No.3.

PANKAJ JAIN, J. (ORAL)

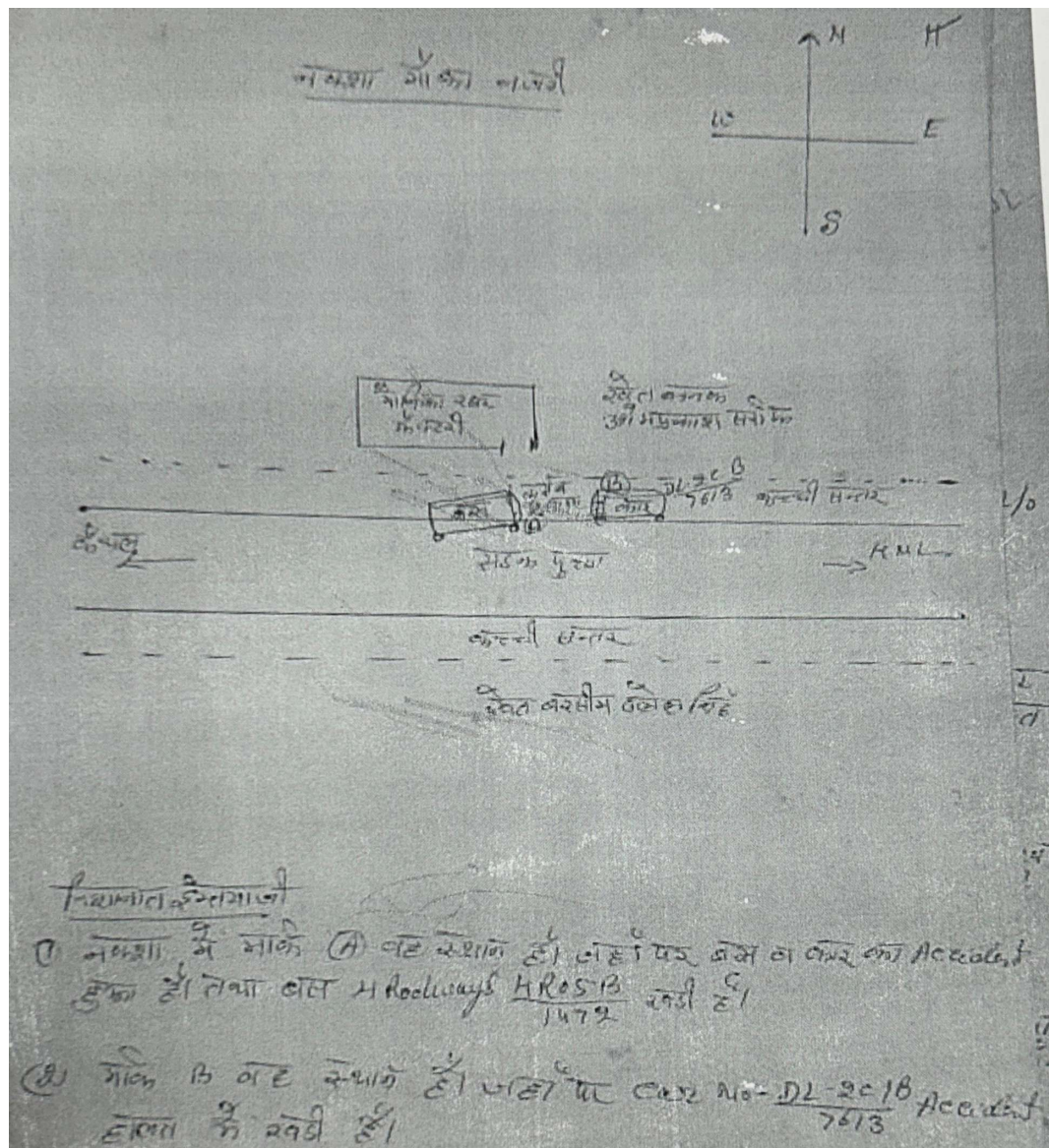
Challenge is to the award dated 07.06.1997 whereby the claim petition filed by the claimants seeking compensation on account of death of Surinder Pal Singh in a motor vehicular accident dated 21.04.1993, has been allowed to the extent that the claimants have been held entitled for compensation under 'no fault liability amounting to Rs.50,000/-.

2. The primary issue of the dispute is Issue No.1 which reads as under:

“1. Whether the accident dated 21.4.1993 near Monika Rubber Factory, Jarifabad, Kaithal Road, Karnal resulting into death of Surinderpal Singh took place due to rash and negligent driving of bus No. HR-05B-1472 by its driver-respondent No.3? OPP”



3. Since it is a burnt case and the record was not available, file related to FIR No.178, dated 21.04.1993 registered for offences punishable under Sections 279, 337, 338, 304-A at Police Station Sadar, Karnal was called for. The same contains the site plan prepared by the police authorities during investigation which was admitted in criminal trial as Exhibit P-L. The site plan is depicted here-below:



4. Perusal of the site plan would reveal that the bus was going from Kaithal to Karnal and the Maruti Car being driven by the deceased was



coming from the opposite side when it struck the bus. The site plan depicts that while the bus was on the extreme left side of the road, it is the car driven by deceased, which was on the wrong side and led to the accident.

5. In view of above, this Court does not find any reason to interfere in the finding recorded by Tribunal on issues No.1 to the effect that the accident was caused due to rash and negligent driving of the driver of the car and not that of driver of the bus.

6. In view of above, finding no merit in the present appeal, the same is ordered to be dismissed.

July 30, 2025

Dpr

**(Pankaj Jain)
Judge**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No