



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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FAO-1374-2019 (O&M)
Date of decision: 27.08.2025

Manish Garg

...Appellant(s)

Vs.

Ranjit Singh and another

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Rishav Jain, Advocate with
Mr. Shivaly Singla, Advocate
for the appellant.

NIDHI GUPTA, J.

CM-4232-CII-2019

Prayer in this application filed under Section 5 of the Limitation Act is for condonation of delay of 291 days in filing the accompanying appeal.

2. The only reason cited by learned counsel for the applicant/appellant in the application seeking condonation of delay of 291 days is *"That the applicant has not received the information about the decision of the MACT claim in time. The claimant came to know about the award passed in their favour in 3rd week of November 2017 and thereafter he filed execution petition. The applicant was further advised to file appeal before the High Court as the amount awarded by the Ld. Tribunal is on the lesser side and he was further informed that the limitation for filing the*



appeal is 90 days from the decision of the execution petition. It is worthwhile to mention here that the execution petition stands decided vide order dated 14.07.2018.”

3. Clearly, the appellant is very much aware of his rights as he filed Execution Petition. The above said reason is vague and does not constitute sufficient ground for condonation of extraordinary and inordinate delay of 291 days.

4. Hence, the present application is dismissed.

FAO-1374-2019 (O&M)

The present appeal has been filed by the claimant seeking enhancement of compensation of Rs.2 lacs awarded by the Id. Motor Accident Claims Tribunal, Sangrur (hereinafter “the learned Tribunal”) vide Award dated 25.10.2017 passed in MACT Case No. 17 dated 27.03.2017 filed under Section 166 of the Motor Vehicles Act, (hereinafter “the Act”) on account of loss suffered by the appellant/claimant for damage of his Indica Vista Car bearing registration No. HR-29U-7944 in the motor vehicular accident that took place on 08.10.2016 due to the rash and negligent driving of a P.R.T.C. Bus bearing registration No. PB-13R-4632 (hereinafter “the offending vehicle”) being driven by respondent No.1; and owned by respondent No.2. The learned Tribunal awarded the above said compensation along with interest @ 9% per annum. Respondents No.1 and 2 were held liable to pay the said compensation jointly and severally.



2. Learned counsel for the appellant submits that at the time of accident, Car was being driven by one Sahil Garg, who had received multiple injuries and succumbed to the same on the spot. Claimant is the registered owner of the Indica Vista Car and had filed claim petition seeking compensation to the tune of Rs.10 lacs on account of loss suffered by him due to damages caused to his Car.

3. Learned counsel for the appellant submits that the Appellant had examined CW-3 Kulbir Singh from Dhuri Auto Motor who had brought the record pertaining to the damaged estimate of TATA Indica Vista Car. As per Ex.C-6 the aforesaid witness has stated that he has inspected the damaged vehicle and has prepared the estimate of its repair as Rs.4,15,780/-.

4. It is further submitted that as per the Survey report Ex.C-7 prepared by the CW-4 Yashwinder Goyal, after physical verification of the damaged car on 16.03.2017 he had prepared the assessment repair cost of the same as Rs.3,46,910/-.

5. It is accordingly submitted that the impugned Award deserves to be modified.

6. No other argument is raised on behalf of the appellant.

7. I have heard Id. Counsel and perused the case file in detail.

8. I find no merit whatsoever in the submissions made on behalf of the appellant. Admittedly, Car in question was bought by the appellant 6-7 years prior to the accident. Even the price of brand new Indica Vista Car was around Rs.5 lacs in the year 2015. Thereafter, the production of



the said Car was discontinued. As such, repair estimate seems to be highly exaggerated. Moreover, the said Car was also not insured at the time of accident. Accordingly, learned Tribunal had awarded the impugned compensation on the following reasoning:

“17. From a conjoint reading of testimony of CW-3 Kulbir Singh, CW-4 Yashwinder Goyal Surveyor coupled with the testimony of CW-1 Vijay Kumar, it is clearly borne out that the car in question had been purchased about 6/7 years back for a sum of Rs. 5 lacs and that at the time of accident, it was not insured. Both CW-3 and CW-4 have specified that on account of accident, the front and right side of the car had been badly damaged. Keeping in view the age of the car, the cost at which it had been purchased about 6/7 years back and the extent to which it has been damaged, this tribunal assesses compensation to be paid to its owner to the tune of Rs. 2 lacs. This is so because no evidence has been brought on file that till today, the owner of this car has opted to get his car repaired. Issue No.3 is accordingly decided.”

9. I find no error whatsoever in the same. Hence, no ground is made out to interfere in the impugned Award dated 25.10.2017. Accordingly, the present appeal is hereby **dismissed** on merits as well as on ground of delay.

10. Pending application(s), if any, also stand(s) disposed of.

27.08.2025

Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No