



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

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CR No.3380 of 2022(O&M)  
Date of Decision: 25.02.2025

Narinder Parkash and company

...Petitioner

V/s

Harwinder Singh and others

...Respondents

**CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Rajbir Singh, Advocate, for the petitioner.

Mr. Kanwarinder Singh, Advocate, for respondents No.1 to 3.

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**VIKRAM AGGARWAL, J (ORAL)**

The present revision petition is directed against the order dated 18.07.2022 (Annexure P-3) passed by the learned Motor Accident Claims Tribunal, Sangrur (for short the "MACT"), vide which the application filed by the petitioner for deletion of its name from the array of parties in the claim petition (Annexure P-2) was dismissed.

2. A claim petition under Section 166 of the Motor Vehicles Act, 1988 (for short the "MV Act") was filed by respondents No.1 to 3 (claimants) for the grant of compensation of Rs.50 lakhs on account of the death of Darshan Singh son of Harcharan Singh in a motor vehicular accident which took place on 04.08.2021. During the pendency of the claim petition, an application (Annexure P-2) was moved by the petitioner (respondent No.2 in the claim petition) for deleting its name from the array of parties, as it was not the registered owner of the offending vehicle. The said application was, however, dismissed vide the impugned order dated 18.07.2022 leading to filing of the present revision petition.

3. Learned counsel for the petitioner submits that the impugned order is not sustainable. He has referred to the registration certificate (Annexure P-4) of the offending vehicle, as per which the offending vehicle was registered in the name of Darshan Singh son of Bhagwan Dass Singh. Learned counsel submits that the MACT had simply dismissed the application on the basis of the statement given by the driver of the offending vehicle to the police that he was working with the petitioner. Learned counsel submits that it is settled law that it is only the registered owner who is liable to pay compensation. He submits that in any case, the view taken by the MACT is totally erroneous as no document was considered by the learned MACT. In support of his contentions, learned counsel for the petitioner has placed reliance upon the judgments of the Supreme Court of India in the case of *Naveen Kumar vs. Vijay Kumar and others*, (2018) 1 SCC 1 and *Prakash Chand Daga vs. Saveta Sharma and others*, (2019) 2 SCC 747 and a judgment of a coordinate Bench of this Court in the case of *Puran Chand through LRs vs. Rimpay Sharma and others*, 2019(2) PLR 797.

4. *Per contra*, learned counsel for respondents No.1 to 3 submits that the vehicle had duly been recovered from the premises of the petitioner. Further, an affidavit had been given before the learned MACT that the vehicle had been sold to the petitioner and still further, the driver had also stated before the investigating authority that he was an employee of the petitioner.

5. I have considered the submissions made by learned counsel for the parties.

6. The MACT dismissed the application filed by the petitioner holding as under:-

*“...The perusal of record shows that the photocopy of zimmies from police record along-with the claim petition have been filed. Perusal of the police zimmies in FIR no. 211 dated 04.08.2021, under section 279, 304-A, 427 IPC at PS Sadar Nabha shows that Vinod Kumar son of*

