



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

105

FAO-1707-1994

Date of decision : 05.03.2025

Pepsu Roadways**..... Appellant****versus****Hemant Kumar and another****..... Respondents****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Anupam Singla, Advocate
for the appellant.

None for the respondents.

PANKAJ JAIN, J. (Oral)

1. Counsel for the appellant at the outset brings to the notice of the Court that about 09 claim petitions pertaining to the accident in question were filed. Though, the Tribunal held both the drivers responsible for having caused accident. However, the extent of their contribution was not assessed. One of the claim petitions travelled to this Court in FAO No. 1708 of 1994, wherein this Court held both the drivers negligent to the extent of 50% each. The same finding was reiterated in FAO No. 1710 of 1994, observing as under:-

“In respect of same accident in this case, there had been an appeal already brought before this Court and disposed of in FAO No.1708 of 1994 where this Court has held the liability between the two drivers of vehicles that collided against each other to be apportioned as 50:50 amongst the two owners. I reiterate the said finding and hold that the liability will be equally apportioned between the two owners in the ratio of 50:50. xxxx”



2. In view of the aforesaid observation made by this Court in FAO No.1708 of 1994 as reiterated in FAO No. 1710 of 1994, the present appeal is disposed off in same terms.

3. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

05.03.2025

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No