



FAO-1355-1996 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

S.No.109

FAO-1355-1996 (O&M)**Date of decision : 21.5.2025**

Rajnish Mittal

... Appellant

VERSUS

Subash Chander and others

... Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Akhil Kashyap, Advocate,
for the appellant.

Mr. Manmohan, Advocate and
Ms. Swati Singal, Advocate,
for respondent No.4.

PANKAJ JAIN, J. (Oral)

Challenge is to the award dated 21.09.1995 passed by Motor Accident Claims Tribunal, Faridkot whereby the claim petition filed by the claimants stands dismissed.

2. The claimant is owner of the vehicle who filed the claim petition seeking compensation on account of injuries he suffered due to accident allegedly caused by rash and negligent driving of Major Singh-respondent No.3. The matter relates to motor vehicular accident involving two canters. The owner of both the canters including the claimant failed to produce driving licenses as well as route permit. The Tribunal, while deciding issue No.1, observed as under : -

“9. *The bare perusal of the F.I.R. Ex.P-2 which has been relied upon by the claimant shows that the accident has*



occurred per chance and no body can be said at fault. EX.P-2 F.I.R. is dated 20.2.1989 which is the earliest version on record. Therefore, to my mind the claimant has failed to prove that the accident has occurred due to rash and negligent driving by Major Singh respondent no.3 of his canter no.PJO-7228 as alleged in the petition. Moreover both the drivers of the canters involved in the accident have not produced their driving licences. Taking into consideration the entire evidence, it is held that accident did not occur due to rash and negligent driving by Major Singh respondent of his canter no : PJO-7228. Accordingly, this issue is decided against the claimant.”

Counsel for the appellant has not been able to show as to how the findings recorded by the Tribunal on issue No.1 can be faulted. Finding no merit in the present appeal, the same is ordered to be dismissed.

(PANKAJ JAIN)
JUDGE

May 21, 2025
Paritosh Kumar

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