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

FAO-5062-2009 (O&M)

Date of Decision : 21.08.2025

Ishar Das @ Ishwar Das ... Appellant(s)

Versus

Dhanna Ram & Ors ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. J.S. Saneta, Advocate for the appellant.

Mr. Raj Kaushik, Advocate for respondent No.2.

Mr. Neeraj Khanna, Advocate for respondent No.3.

ALKA SARIN, J. (Oral)

1. The present appeal has been preferred by the claimant-appellant aggrieved by the impugned award dated 02.01.2009 passed by the Motor Accident Claims Tribunal, Panipat (hereinafter referred to as 'Tribunal') dismissing the claim petition.

2. The claim petition was dismissed primarily on the ground that the claimant-appellant had failed to prove on the record that the offending vehicle was involved in the accident. The Tribunal has held as under :

“10. Petitioner claimed that accident occurred on 26.11.2006. However, the requisite FIR qua this accident was got registered in March, 2007. Thus, it is apparent that FIR was got registered qua this accident more than three months after the said accident. Even if

Petitioner had suffered injuries, the requisite FIR could have been got registered by his relatives. Petitioner fails to explain the inordinate delay of more than three months in the registration of requisite FIR. Significantly, no eye-witness to said accident was also examined by the Petitioner in support of his claim. There is nothing on record to prove that the offending vehicle was really involved in said accident.”

3. The Court has been informed today that the driver was acquitted in the criminal trial. Learned counsel for the claimant-appellant has not been able to point out to any evidence on the record to even remotely suggest that the offending vehicle was involved in the accident. In the absence of any evidence, no fault can be found with the findings returned by the Tribunal.

4. In view of the above, the present appeal being devoid of any merit is accordingly dismissed. Pending applications, if any, also stand disposed off.

21.08.2025
Yogesh Sharma

(**ALKA SARIN**)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO