

**(2012) 04 P&H CK 0044**

**High Court Of Punjab And Haryana At Chandigarh**

**Case No:** FAO No. 131 of 1990

State of Punjab and Another

APPELLANT

Vs

Smt. Amar Kaur and Others

RESPONDENT

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**Date of Decision:** April 3, 2012

**Hon'ble Judges:** Jitendra Chauhan, J

**Bench:** Single Bench

**Advocate:** Mehar Deep Singh, Deputy A.G., Punjab, for the Appellant;

**Final Decision:** Dismissed

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**Judgement**

Jitendra Chauhan, J.

1. The appellant-State has filed the present appeal assailing the Award dated 15.9.1989, passed by the learned Motor Accident Claims Tribunal, Ludhiana, whereby the claim petition was allowed and the appellant, being the owner of the offending bus and driver Nahar Singh were held liable to indemnify the award. Learned counsel for the appellants contends that the learned Tribunal erred in law while determining the compensation. He further states that the compensation awarded by the learned Tribunal is excessive.
2. None appeared on behalf of the respondent-claimants.
3. I have heard the learned counsel for the appellant and perused the record.
4. The learned Tribunal after analysing the statement of AW-I, Amar Kaur and the eyewitness Nachhatar Singh PW2, deciding issue No.3 in favour of the respondent-claimants. The deceased and Nachhtar Singh were on bicycle and the bus owned by the appellant and driven by Nahar Singh hit them from behind. A report Ex.PA was lodged with the police. The version rendered by Nachhatar Singh is in link with the report. The learned Tribunal has made a specific observations that the appellant took a contradictory stand regarding the factum of accident. The compensation awarded by the learned Tribunal is just and adequate. Therefore, no interference is

warranted in the well reasoned award passed by the learned Tribunal. Accordingly, the present appeal is dismissed being devoid of any merit.