

(1967) 09 P&H CK 0014
In the Punjab And Haryana At Chandigarh
Case No : F.A.O. No. 68 of 1963

Sadhu Singh

APPELLANT

Vs

Punjab Roadways, Ambala City and Another

RESPONDENT

Date of Decision : 27-09-1967

Acts Referred:

Motor Vehicles Act, 1939 — Section 110

Citation : AIR 1968 P&H 466 : (1968) 1 ILR (P&H) 495

Hon'ble Judges : D.K. Mahajan, J

Bench : Single Bench

Advocate : G.S. Grawal, for the Appellant; Gopal Singh, General, for the Respondent

Final Decision : Allowed

Judgement

D.K. Mahajan, J.—This appeal must succeed in view of the decision of the Madras High Court in *Jerome D'Silva Vs. The Regional Transport Authority, South Kanara and Another*, and *P. Channappa Vs. Mysore Revenue Appellate Tribunal and Others*, . In both these cases it has been held that the judgment of the Criminal Court is binding so far as statutory Tribunals are concerned. The Motor Accidents Claims Tribunal, constituted under the Motor Vehicles Act, is such a Tribunal and was so held by the learned Chief Justice in *Jerome D'Silva Vs. The Regional Transport Authority, South Kanara and Another*, . The Tribunal has given a complete go-by to the judgment of the Criminal Court where the driver of the offending vehicle was convicted and sentenced for the death of the petitioner's son.

2. In this view of the matter, I allow this appeal, set aside the order of the Claims Tribunal and remit the case to him to determine the amount of compensation payable to the petitioner. The cost will be costs in the cause.