

(1985) 09 P&H CK 0009
In the Punjab And Haryana At Chandigarh
Case No : Civil Revision No. 2165 of 1985

Vipan Jhanji and another	Vs	APPELLANT
Punjab State and others		RESPONDENT

Date of Decision : 13-09-1985

Acts Referred:

Motor Vehicles Act, 1988 — Section 92A

Citation : (1985) 09 P&H CK 0009

Hon'ble Judges : Rajendra Nath Mital, J

Bench : Single Bench

Advocate : V.K. Jhanji, for the Appellant; D.S. Brar, for the Respondents No. 1 and 2, for the Respondent

Final Decision : Allowed

Judgement

Rajendra Nath Mittal, J.—This revision petition has been filed against the order of the Motor Accident Claims Tribunal dated 11th June, 1985 wherein it has been held that the application u/s 92A of the Motor Vehicles Act is barred by limitation as it was not filed within six months of the date of accident.

2. The learned counsel for the petitioner has vehemently contended that no period of limitation is prescribed for an application u/s 92A in the Act and the finding of the learned Tribunal is not warranted by any provisions of law Mr. Brar, learned counsel for the respondents, has not been able to defend the present order. Admittedly the claim application u/s 110A was filed within limitation. There is no period prescribed for application u/s 92A in the Motor Vehicles Act. The application was filed shortly after the expiry of six months. Even it would not be barred by any provision of Limitation Act. Consequently I accept the revision petition with costs which are assessed at Rs. 250/-, set aside the order of the Tribunal and remand the case to it for deciding the matter on merits.