



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

(129)

CR-4075-2026 (O&M)Date of Decision: **14.05.2026****ANIL KUKREJA @ ANIL KUMAR**

... Petitioner

Versus

AMRINDER SINGH AND OTHERS

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Abhinav Sood, Advocate;
Mr. Mehndi Singhal, Advocate and
Mr. Akshay Sharma, Advocate
for the petitioner.

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VIRINDER AGGARWAL, J. (Oral)

1. The instant revision petition has been instituted under Article 227 of the Constitution of India invoking the supervisory jurisdiction of this Court, assailing the legality and propriety of the order dated 18.04.2026 (**Annexure P-1**) passed by the learned Motor Accident Claims Tribunal, Ferozepur (for short '**MACT**'), whereby the application preferred by the petitioner under Order I Rule 10(2) of the Code of Civil Procedure, 1908 (for short, "**CPC**") seeking deletion of his name from the array of parties came to be declined.

2. It has been contended that claim petition bearing No. MACP/25/2024 titled as Amrinder Singh vs. Simmu @ Harsimaran Singh and Others is presently pending adjudication before the learned MACT, Ferozepur. In the said proceedings, the petitioner has been impleaded as



respondent No.2 on the allegation that he continued to be the registered owner of the offending vehicle involved in the accident. However, according to the petitioner, he had already divested himself of all rights, title, interest, and possession in respect of the said vehicle much prior to the occurrence of the accident.

2.1. It is averred that the petitioner had purchased a new Maruti Suzuki Brezza vehicle from respondent No.3, a Public Limited Company and an authorized dealer of Maruti Suzuki India Limited, on 21.07.2022 under an exchange scheme. At the time of such transaction, the petitioner handed over possession of the offending vehicle to respondent No.3 and executed blank Forms Nos.29 and 30, upon the assurance that all requisite formalities pertaining to transfer of ownership would be duly completed by respondent No.3. Thereafter, on 28.07.2022, respondent No.3 allegedly sold and delivered possession of the offending vehicle to one Mr. Rohit Wadhawa, who, in turn, subsequently transferred the vehicle to respondent No.2, namely Simmu @ Harsimaran Singh, on 17.09.2023. It is further alleged that respondent No.3 filled up Forms Nos.29 and 30 by directly reflecting the name of Simmu @ Harsimaran Singh as transferee, without disclosing or incorporating the intermediary transfer in favour of Mr. Rohit Wadhawa.

2.2. Subsequently, the accident in question occurred on 10.11.2023, pursuant where to the respondent-claimant instituted the aforesaid claim petition against the petitioner, the subsequent purchaser, and the insurance company. The petitioner thereafter moved an application before the learned Tribunal seeking deletion of his name from the array of respondents and for impleadment of respondent No.3 as a necessary party



to the proceedings. The said application was partly allowed vide the impugned order insofar as respondent No.3 was ordered to be impleaded; however, the prayer seeking deletion of the petitioner's name from the array of parties was declined.

3. Aggrieved by the impugned order to the aforesaid extent, the petitioner has preferred the present revision petition before this Court.

4. Learned counsel for the petitioner has vehemently contended that the learned MACT has committed a material illegality and jurisdictional error in declining the prayer seeking deletion of the petitioner's name from the array of respondents. It has been argued that once the petitioner had transferred the offending vehicle to respondent No.3 and had parted with its possession after execution of the requisite documents, his liability in respect thereof stood extinguished. In support of the said contention, reliance has been placed upon the judgment of this Court in *Shivinderpal Singh vs. Rajvir Kaur and Others*, **2025:PHHC:171969**, wherein the registered owner was absolved of liability and the responsibility to pay compensation was fastened upon the subsequent purchaser, inasmuch as all statutory formalities pertaining to transfer of ownership had been duly complied with, including intimation under Section 50 of the Motor Vehicles Act, 1988 to the concerned Registering Authority, namely the Regional Transport Officer, Bathinda, vide communication dated 12.10.2018.

4.1. However, the factual matrix of the present case stands on an entirely different footing. In the instant matter, the alleged transfer and the attendant circumstances are disputed questions of fact which necessarily require adjudication on the basis of evidence to be led by the respective



parties. Admittedly, on the date of the accident, the petitioner continued to be reflected as the registered owner of the offending vehicle in the official records. Consequently, in view of the definition of “**owner**” as contemplated under Section 2(30) of the Motor Vehicles Act, 1988, the petitioner cannot, at this preliminary stage, seek absolution from liability merely on the basis of assertions raised in the application. The veracity and legal effect of the alleged transfer transactions can only be determined upon appreciation of evidence during the course of trial.

4.2. The learned MACT has, therefore, rightly concluded that the prayer for deletion of respondent No.2 from the array of parties could not be granted at the threshold, as the controversy involved pertains to disputed factual issues incapable of adjudication in summary proceedings. Accordingly, finding no illegality, perversity, or infirmity in the impugned order warranting interference in exercise of supervisory jurisdiction under Article 227 of the Constitution of India, the present revision petition, being devoid of merit, is hereby **dismissed**.

5. It is, however, clarified that the observations recorded here-in-above are confined exclusively to the adjudication of the present revision petition and shall not be construed as an expression of opinion on the merits of the underlying dispute between the parties. The findings returned in the present proceedings are limited to the controversy examined for the purposes of adjudication of the instant petition alone. Nothing contained in this order shall prejudice, influence, or affect the rights, claims, or contentions of either party in any pending or future proceedings, nor shall the same be treated as a conclusive determination of any substantive issue of fact or law arising in the principal matter.



6. Inasmuch as the substantive issues in the present matter have reached final adjudication, any and all interlocutory or miscellaneous application(s), if any, currently pending shall be deemed disposed of in alignment with the principal decree. Consequently, the Court finds no further necessity for the issuance of ancillary orders, as the resolution of the merits renders such applications functus officio.

14.05.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

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