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

**CR-1014-2024 (O&M)**
**Date of Decision : 15.10.2025**

Nirbhai Singh and Another ... Petitioners

Versus

Darshan Singh @ Darshan Singh and Others ... Respondents

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. Sunny K. Singla, Advocate for the petitioners.

**ALKA SARIN, J. (Oral)**

1. The present revision petition under Article 227 of the Constitution of India has been filed by the owner and driver against the award dated 28.09.2022 passed by the Motor Accident Claims Tribunal, Patiala whereby compensation of Rs.21,380/- was awarded in favour of the claimant and the appellants herein along with Insurance Company were held jointly and severally liable to pay the same.

2. Learned counsel for the petitioners has submitted that although the provision of Section 173(2) of the Motor Vehicles Act, 1988 specifically provides that no appeal shall lie against any award of a Claims Tribunal if the amount in dispute in the appeal is less than rupees one lakh but the said section does not bar from filing a revision petition under Article 227 of the Constitution of India.

3. Section 173(2) of the Motor Vehicles Act, 1988 (hereinafter

referred to as 'the MV Act') stood amended w.e.f. 01.04.2022 and reads as under :

> *"(2) No appeal shall lie against any award of a Claims Tribunal if the amount in dispute in the appeal is* ***less than one lakh rupees****."*

4. A perusal of the above would show that the amount "ten thousand" rupees has been replaced by the amount "one lakh" and admittedly the amount of compensation awarded in the present case is less than one lakh rupees.

5. In the case of **Bharti AXA General Insurance Company Ltd. Vs**. **Sahab Singh & Ors. [CR-6131-2016 decided on 19.09.2016]**, a Co-ordinate Bench of this Court had observed that the plain and simple reading of sub-section 2 of Section 173 of the MV Act prohibits any person from challenging the award if the amount of compensation is less than the amount mentioned in the said provision. It was further observed that once statutory provisions prohibit the filing of the statutory appeal, the affected party cannot be permitted to circumvent the statutory provisions of law by invoking the power of superintendence under Article 227 of the Constitution of India and accordingly the revision petition was held to be not maintainable.

6. Further, a similar petition under Article 227 of the Constitution of India challenging the award of the Tribunal, wherein the compensation amount was less rupees one lakh, was held to be not maintainable by a Co-ordinate Bench of this Court in the case of **Shriram General Insurance Company Limited vs. Sandeep & Ors. [CR-1727-2025 decided on 21.03.2025]**.

7. Hon'ble Supreme Court in the case of **Shalini Shyam Shetty & Anr. Vs. Rajendra Shankar Patil [2010 (8) SCC 329]** had formulated the following principles on the exercise of High Court's jurisdiction under Article 227 of the Constitution of India :

> *"62. On an analysis of the aforesaid decisions of this Court, the following principles on the exercise of High Court's jurisdiction under Article 227 of the Constitution may be formulated :*
>
> *(a) A petition under Article 226 of the Constitution is different from a petition under Article 227. The mode of exercise of power by High Court under these two Articles is also different.*
>
> *(b) In any event, a petition under Article 227 cannot be called a writ petition. The history of the conferment of writ jurisdiction on High Courts is substantially different from the history of conferment of the power of Superintendence on the High Courts under Article 227 and have been discussed above.*
>
> *(c) High Courts cannot, on the drop of a hat, in exercise of its power of superintendence under Article 227 of the Constitution, interfere with the orders of tribunals or Courts inferior to it. Nor can it, in exercise of this power, act as a Court of appeal over the orders of Court or tribunal subordinate to it. In cases where an alternative*

*statutory mode of redressal has been provided, that would also operate as a restrain on the exercise of this power by the High Court.*

*(d) The parameters of interference by High Courts in exercise of its power of superintendence have been repeatedly laid down by this Court. In this regard the High Court must be guided by the principles laid down by the Constitution Bench of this Court in Waryam Singh (supra) and the principles in Waryam Singh (supra) have been repeatedly followed by subsequent Constitution Benches and various other decisions of this Court.*

*(e) According to the ratio in Waryam Singh (supra), followed in subsequent cases, the High Court in exercise of its jurisdiction of superintendence can interfere in order only to keep the tribunals and Courts subordinate to it, 'within the bounds of their authority'.*

*(f) In order to ensure that law is followed by such tribunals and Courts by exercising jurisdiction which is vested in them and by not declining to exercise the jurisdiction which is vested in them.*

*(g) Apart from the situations pointed in (e) and (f), High Court can interfere in exercise of its power of superintendence when there has been a patent perversity in the orders of tribunals and Courts subordinate to it or*

*where there has been a gross and manifest failure of justice or the basic principles of natural justice have been flouted.*

*(h) In exercise of its power of superintendence High Court cannot interfere to correct mere errors of law or fact or just because another view than the one taken by the tribunals or Courts subordinate to it, is a possible view. In other words the jurisdiction has to be very sparingly exercised.*

*(i) High Court's power of superintendence under Article 227 cannot be curtailed by any statute. It has been declared a part of the basic structure of the Constitution by the Constitution Bench of this Court in the case of L. Chandra Kumar v. Union of India & others, reported in 1997(2) S.C.T. 423 : (1997) 3 SCC 261 and therefore abridgement by a Constitutional amendment is also very doubtful.*

*(j) It may be true that a statutory amendment of a rather cognate provision, like Section 115 of the Civil Procedure Code by the Civil Procedure Code (Amendment) Act, 1999 does not and cannot cut down the ambit of High Court's power under Article 227. At the same time, it must be remembered that such statutory amendment does not correspondingly expand the High Court's jurisdiction of*

*superintendence under Article 227.*

*(k) The power is discretionary and has to be exercised on equitable principle. In an appropriate case, the power can be exercised suo motu.*

*(l) On a proper appreciation of the wide and unfettered power of the High Court under Article 227, it transpires that the main object of this Article is to keep strict administrative and judicial control by the High Court on the administration of justice within its territory.*

*(m) The object of superintendence, both administrative and judicial, is to maintain efficiency, smooth and orderly functioning of the entire machinery of justice in such a way as it does not bring it into any disrepute. The power of interference under this Article is to be kept to the minimum to ensure that the wheel of justice does not come to a halt and the fountain of justice remains pure and unpolluted in order to maintain public confidence in the functioning of the tribunals and Courts subordinate to High Court.*

*(n) This reserve and exceptional power of judicial intervention is not to be exercised just for grant of relief in individual cases but should be directed for promotion of public confidence in the administration of justice in the larger public interest whereas Article 226 is meant for protection of individual grievance. Therefore, the power*

*under Article 227 may be unfettered but its exercise is subject to high degree of judicial discipline pointed out above.*

*(o) An improper and a frequent exercise of this power will be counter-productive and will divest this extraordinary power of its strength and vitality."*

8. Keeping in view the above, this Court is of the opinion that the impugned award does not call for any interference by this Court while exercising its power under Article 227 of the Constitution of India and accordingly the present revision petition being devoid of any merit, is dismissed. Pending applications, if any, also stand disposed off.

15.10.2025
Ankur Goyal

**( ALKA SARIN )**
**JUDGE**

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