

508**CR NO.727 OF 2007
NATIONAL INSUR. CO. LTD. V/S MAHESH KUMAR AND ORS.*********

Present: Mr. R.N. Singhal, Advocate for the petitioner-Ins. Co.

None for the respondents.

Two claim petitions were filed before the Motor Accidents Claims Tribunal, Ambala. These cases were clubbed together and disposed of by the Motor Accidents Claims Tribunal vide award dated November 01, 2006. The learned Tribunal awarded a compensation of ₹ 2,50,000/- in favour of one of the claimants – Mohan Lal and another sum of ₹ 7,000/- in favour of Mahesh Gupta.

The Insurance Company preferred an appeal against the award of the Motor Accidents Claims Tribunal in the case of Mohan Lal Gupta & Ors., which was registered as FAO 550 of 2007. The amount awarded being less than ₹ 10,000/-, the National Insurance Company Limited also preferred a revision petition against the same award which was registered as Civil Revision No.727 of 2007.

These two cases should have been clubbed and decided together, but it appears that they were not clubbed. FAO No.550 of 2007 has since been allowed by H.S. Bhalla, J. as his lordship then was vide order dated May 10, 2007. A photocopy of the judgment rendered in FAO No.550 of 2007 is taken on record. It was held that the Insurance Company would be at liberty to recover the amount from the owner of the vehicle in question in accordance with law, the only relief sought by the Insurance Company was, thus, consequently allowed.

This revision petition is directed against the same award and the facts of this revision petition are precisely the same as in the case of FAO No.550 of 2007. This revision petition is, consequently, disposed of in the same terms as in FAO No.550 of 2007. Learned counsel for the respondents has not put in appearance. We, consequently, grant liberty to the respondents to seek review of this order, in case of need.

**(G.C. GARG)
PRESIDENT****(N.K. KAPOOR)
MEMBER****October 19, 2015***naina*