

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

CR No. 6635 of 2013 (O&M)

Date of decision: September 29, 2015

Veeran Devi and others

...Petitioners

Versus

Hem Kund Bus Service and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Inderjeet Sharma, Advocate,
for the petitioners.

Mr. GS Bawa, Advocate,
for respondent No.1.

Mr. Paul S. Saini, Advocate,
for respondent No.3.

K. KANNAN, J. (Oral)

1. The revision is at the instance of the claimants seeking for amendment of the pleadings regarding registration number of the vehicle that was involved in the accident. As originally pleaded, the vehicle registration number was PB-03-O-6751 and the owner who was stated in the petition was Hem Kund Bus Service. The owner appears to have, in the course of trial, sought for production of the cover note and the policy from the insurance company and the documents produced seemed to reveal that the number was registered as PB-03-U-6751. The claimants have sought for

amendment after the policy was produced and the Tribunal has rejected it holding that even the owner was asking for details of the vehicle bearing registration number PB-03-O-6751 and it was most unlikely that the owner would not have known the correct registration of his own vehicle. Finding that the particular vehicle involved in the accident was not duly insured, it reasoned that the claimants in collusion with the owner were now trying to substitute the registration number in order to avail of the benefit of the insurance and to make possible a case against the insurer.

2. I find that the fact that the owner had sought for details of the insurance for vehicle PB-03-O-6751 cannot amount to an admission that he owned only the said vehicle. I asked the learned counsel for the insurer whether there was any case that the owner had any other vehicle PB-03-O-6751 that was uninsured. He replied in negative. I would only find the request made by the owner with the insurer merely echoed the mistake what had crept in the original petition. I accept the mistake as given in the petition as purely an instance of accidental error and would require to be corrected.

3. The order already passed is set aside and the revision petition is allowed.

September 29, 2015
prem

(K.KANNAN)
JUDGE