

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

FAO No.1191 of 2013 (O&M)

Date of decision: 06.04.2015

Simarjit Singh

..... Appellant

versus

New India Assurance Company & others

..... Respondents

CORAM: Hon'ble Mr. Justice Kuldip Singh

Present: Mr. Deepak Bhardwaj, Advocate for the appellant
Mr. D. K. Prajapati, Advocate for
Mr. R. S. Madan, Advocate for respondent No. 1

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

This appeal has been filed by the owner against the award dated 4.4.2012, passed by the Motor Accident Claims Tribunal, Chandigarh (in short, 'the Tribunal'). The Tribunal, while awarding compensation, granted the recovery rights to respondent No. 3 – Insurance company. Aggrieved by the said order, owner Simarjit Singh has filed the present appeal. In the appeal, an application for additional evidence was also filed. This Court vide order dated 28.1.2014, remanded the case to the Tribunal directing it to decide issue No. 3 after affording the opportunity to the appellant. Accordingly, the Tribunal has submitted the report to this Court regarding findings on issue No. 3. It has been reported that respondent No. 1 Piara Singh (respondent No. 2 herein) was holding

valid and effective driving licence.

It being so, the portion of the impugned order granting recovery rights to the insurance company stands set aside.

Appeal is accordingly allowed.

06.04.2015
gk

(Kuldip Singh)
Judge