

**IOIN-CR-2392 of 2009 in/and
Civil Revision No. 2392 of 2009
Decided on: 18.02.2015**

United India Insurance Company Ltd.

.....Petitioner

Versus

Ravinder Singh and Others

.....Respondents

CORAM : HON'BLE MR.JUSTICE R.P.NAGRATH

Present: Mr. Vikas Mohan Gupta, Advocate
for the petitioner.

None for the respondents.

R.P.NAGRATH, J. (ORAL)

The award was passed for an amount of Rs. 7,000/- in favour of respondent No. 1-claimant along with interest at the rate of 9% per annum from the date of filing the claim petition till realization.

FAO Nos. 1746 to 1750 of 2009 against the order passed by the Tribunal under Motor Vehicles Act arising out of the same accident were disposed of by setting aside the awards and the matter was remanded back to the learned Motor Accident Claims Tribunal vide order dated 20.03.2014, to consider and decide issue No. 3 regarding violation of terms and conditions of insurance policy afresh, in accordance with the law after affording opportunity to the parties to lead evidence. Learned counsel for the petitioner, however, submits that other FAOs which were remanded back, are still pending because the record is yet to be reconstructed.

For the reasons recorded in the order dated 20.03.2014 in the aforesaid FAOs, the instant revision is allowed, setting aside the order

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passed by the Tribunal to the extent only for providing the opportunity to the insurance company to lead evidence with regard to issue No. 3. This is subject to the insurance company depositing the amount awarded by the Tribunal along with interest, if already not deposited, to be paid to the claimant. The amount be deposited by the petitioner-insurance company before the Tribunal within one month, to be disbursed to the claimant.

The parties are directed to appear before the learned Tribunal on 09.03.2015 and the Tribunal would proceed to decide the matter afresh in accordance with law.

February 18, 2015

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(R.P. NAGRATH)
JUDGE