

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

FAO No.1674 of 2015 (O&M)

Date of decision: 14.10.2015

Oriental Insurance Company

... Appellant

versus

Ravinder Singh alias Arvinder Singh and another Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Ms. Vandana Malhotra, Advocate,
for the appellant.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ?No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (Oral)

1. The appeal by the Insurance Company is on a ground that the claimant had borrowed the vehicle from his father who was the registered owner, skidded and fell down and sustained injuries. The claimant was not reported to have even suffered permanent injury for in assessment of compensation under Section 140 of Motor Vehicles Act. As borrower of vehicle who was himself contributed to the accident, it can leave no trail for claim to compensation against the insurer in the light of law laid down by the Supreme Court in **Ningamma and another Versus United India**

Insurance Company Limited-2009 ACJ 2020.

2. The award passed already is set aside and the appeal by the insurer is allowed.
3. The amount deposited already at the time of preferring the appeal is permitted to be refunded to the Insurance Company.

(K.KANNAN)
JUDGE

14.10.2015
sanjeev