

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

**CM No.7047-CII of 2015 in/and
FAO No.2289 of 2015 (O&M)
Date of Decision: April 06, 2015**

National Insurance Company Limited

.... Appellant

vs.

Kamaldeep Taneja and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Ms. Madhu Sharma, Advocate for the appellant.

- 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)

CM-7047-CII-2015

This is an application for condonation of delay of seven days in filing the present appeal. The application is supported by an affidavit.

For the reasons mentioned in the application, delay of seven days in filing the present appeal is condoned, subject to all just exceptions.

Application stands disposed of.

FAO-2289-2015

The Insurance Company has preferred this appeal against the Award dated 08.12.2014 passed by Motor Accident

Claims Tribunal, Ambala (in short 'the Tribunal'), vide which ₹83,000/- compensation along with interest @ 7.5% per annum from the date of filing of the claim petition till its realization was awarded to the claimant on account of injury suffered by him in the motor vehicular accident.

Learned counsel of the Insurance Company-appellant contends that in the claim filed by the owner Parampreet Kaur Jabbal with the Insurance Company regarding damage of vehicle, Amandeep Jabbal, has been stated to be driving the vehicle. However, in this case, Navjeet Singh has shown to be the driver of the vehicle. It is further contended that FIR No.55, dated 04.02.2014 was registered against Navjeet Singh after two days of the occurrence.

A perusal of the Award shows that the police investigated the FIR and Navjeet Singh was challaned and is facing trial. If the owner had made wrong claim before the Insurance Company, it is between the Insurance Company and the owner. The claimant cannot suffer for the same. The claimant had suffered dislocation of his shoulder.

The Tribunal took into consideration the duration of admission and the medical bills to grant the compensation, which is just and proper.

In these circumstances, there is no ground to interfere in the Award passed by the Tribunal.

Accordingly, the present appeal is dismissed.

₹25,000/- deposited by the Insurance Company along with the present appeal be remitted to the Tribunal for disbursement of the same to the claimant.

April 06, 2015
sarita

(KULDIP SINGH)
JUDGE