

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 3791 of 2015 (O/M)
Date of decision : 28.5.2015

United India Insurance Company Limited Appellant

Versus

Satbir and others Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Satpal Dhamija, Advocate, for the appellant.

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

-. -

-. -

KULDIP SINGH, J. (ORAL)

This is appeal filed by the insurance company against the award dated 5.3.2015, passed by the Motor Accident Claims Tribunal, Hisar, (in short 'the Tribunal'), whereby the insurance company was fastened with liability to the tune of Rs. 8,86,000/- alongwith interest @ 7% per annum from the date of filing of petition till its realization on account of injuries received by the claimant/respondent in a motor vehicular accident, which occurred on 12.11.2013.

It is not a denying fact that in the accident, the leg of the claimant/respondent was amputated. The plea of the learned counsel for the insurance company is that there is delay of 48 days

in registration of the FIR and that there are also some contradictions in the statement made for lodging the FIR and statement made in the Court. It has been further argued that the claimant/respondent had disclosed that he came to know about the driver after some days from some other person.

I am of the view that minor discrepancies are not material. The delay in registration of the FIR is apparently due to amputation of the leg of the claimant/respondent, who might not be in position to move out of the hospital and approach the police. Some minor discrepancies here and there are not material. It is also not denying fact that after the investigation, the driver has been challaned and is facing trial. The driver has not stated that he has approached the higher authorities to claim that he has been falsely implicated. It being so, there is no illegality or infirmity in the impugned order dated 5.3.2015, passed by the Tribunal.

Accordingly, the present appeal is dismissed.

(KULDIP SINGH)
JUDGE

28.5.2015
sjks