IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

IOIN CR No. 1563 of 1997
Date of decision: 18.03.2016

United India Insurance Company Limited

... Petitioner

versus

Ramesh Rani and others

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Neeraj Khanna, Advocate for the petitioner.

Mr. A.S. Khinda, Advocate for respondent No.2.

K.Kannan, J. (ORAL)

The only point urged in the revision is that the accident had taken place before 14.11.1994 when the amendment was made enhancing the compensation for no fault from Rs.25,000/- to Rs. 50,000/-. According to the insurer, the liability cast must have been restricted to only Rs. 25,000/- with interest.

Counsel says that claim petition was dismissed for lack of proof of negligence. It would make meaningless the effect of Section 140 that casts absolute liability on 'No Fault Basis'. The dismissal ought to be understood as the dismissal of the claim in the manner made and the award already passed on 'No Fault Basis' will stand restricted to Rs. 25,000/-

The civil revision petition is disposed of.

(K.KANNAN)
JUDGE

18.03.2016
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