

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

**CR No.5692 of 2016(O&M)**

**Date of decision:30.9.2016**

Shashi Bala and others

....Petitioners

VERSUS

United India Insurance Company

.....Respondent

**CORAM:**    **HON'BLE MRS. JUSTICE REKHA MITTAL**

Present:     Mr. Ashwani Arora, Advocate for the petitioners.

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**REKHA MITTAL, J. (Oral)**

A report has been received from the Additional District Judge, Rupnagar and a relevant extract therefrom reads as follows:-

“...It is further submitted that applicants have not furnished any indemnity bonds/surety bonds but it has been inadvertently typed by the concerned Steno due to oversight that indemnity/surety bonds have already been furnished whereas indemnity/surety bonds are yet to be furnished.”

The Officer has submitted the comments as if the Court has no obligation to ensure that the order is correct in all respects before it is signed by the Presiding Officer. No Judicial Officer can pass on blame upon his/her Steno in the manner, it has been reflected in the report. The Officer has expressed no regret for recording facts contrary to record.

Counsel for the petitioners has submitted that claim petition was dismissed by the Tribunal but the appeal preferred by the claimants was allowed by this Court vide judgment dated 28.10.2015. It has been submitted that as per his instructions, no further appeal has been preferred by the insurance company against the judgment passed by this Court.

Perusal of the impugned order would make it evident that the Court has not assigned any reason calling upon the petitioners/claimants to furnish indemnity bonds qua double of the awarded amount with one surety in the said amount. It appears that the Tribunal is totally insensitive that calling upon the claimants to furnish indemnity bond of double of the amount with one surety would amount to putting extra burden upon them.

Under these circumstances, the directions issued by the Court below for furnishing of indemnity bonds are set aside. The impugned order is modified accordingly.

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| <b>SEPTEMBER 30, 2016</b> | <b>(REKHA MITTAL)</b> |
| ‘D. Gulati’               | <b>JUDGE</b>          |
| Whether speaking/reasoned | : yes/no              |
| Whether reportable        | : yes/no              |