

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

FAO-1784-1995

Date of decision : 14.01.2016

United India Insurance Company Ltd.

..... Appellant

versus

Paramjit Kaur and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Suvir Dewan, Advocate
for the appellant.

Mr. R.S.Rana, Advocate
for respondent No.5.

1. Whether Reporters of local papers 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?

AJAY TEWARI, J. (Oral)

As per office report the record of the tribunal had been sent to this Court on 06.10.1998 and the same is not traceable as the same was burnt with the FAO.

Learned counsel for the appellant-United India Insurance Company, states that he only has the copy of the paper book. In the circumstances matter is taken up for hearing.

This appeal has been filed by the Insurance Company seeking recovery rights. The plea was that the licence was fake and the tribunal erred in holding that if the renewal was valid the original infirmity in the

licence would be cured.

Learned counsel has relied upon the judgment in the matter of *National Insurance Co., Ltd., Vs. Laxmi Narain Dhut, 2007 ACJ 721* wherein the Hon'ble Supreme Court has categorically held that the valid renewal of a fake licence would not validate the same.

Learned counsel for respondent No.5 is not in a position to cite any contrary judgment.

The appeal is allowed and the appellant-United India Insurance Company, is granted recovery rights against the respondent No.5.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

14.01.2016

Pooja Sharma-I

(AJAY TEWARI)
JUDGE