

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

F.A.O. No.2837-2000 (O&M)

Date of Decision : 27.05.2016

Lal Singh

..... Appellant

versus

Charanjit Kaur and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Aseem Aggarwal, Advocate
for the appellant.

Mr. Ashok Jindal, Advocate
for respondents No.1 to 5.

Mr. Vipul Sharma, Advocate for
Mr. Paul S.Saini, Advocate
for respondent No.7.

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)

This appeal has been filed by the owner against the award dated 26.09.2000 to the extent that respondent No.3-Insurance Company has been completely absolved from its liability. Since the dispute is only between the insured and the insurer, detailed reference to fact may not be required. Suffice it to say that the Tribunal exonerated the insurance company on the ground that the driving license of the driver was fake.

Learned counsel for the appellant has, however, argued that the appellant-owner had appeared in the witness box and had testified that he had checked the license of the driver which appeared to be valid and had taken the driving test also before appointing him and consequently as per *Pepsu Road Transport Corporation Vs. National Insurance Company, reported as 2014 AIR (SC) 305* the insurance company could not have been exonerated.

Learned counsel for the respondent No.3-Insurance Company is not in a position to cite any contrary judgment. Consequently that part of the order is set aside and it is held that the Insurance Company would be liable to pay the amount.

The appeal stands disposed of.

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

27.05.2016

pooja sharma-I

**(AJAY TEWARI)
JUDGE**