918, 919 and 920.

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.1230 of 2001 (O&M)
Date of decision:08.02.2016

United India Insurance Company Limited ... Appellant

versus

Sukhwinder Kaur and others .... Respondents

II. <u>FAO No.1231 of 2001</u> (O&M)

United India Insurance Company Limited ... Appellant

versus

Hari Singh and others .... Respondents

III. <u>FAO No.1232 of 2001</u> (O&M)

United India Insurance Company Limited ... Appellant

versus

Surjit Kaur and others .... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. D.P. Gupta, Advocate,
for the appellant.

None for the respondents.

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1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. *(Oral)*

In all these matters, the Insurance Company was pleading for exoneration of liability on the ground that the licence was fake. The attorney of the owner gave evidence to the effect that he had seen the driving licence, believed it to be true and had tested the driving skills to satisfy himself that he was competent to drive. The Tribunal found this evidence to be sufficient to hold that the owner had not committed any violation of terms of policy. This corresponds to the law laid down by the Supreme Court in ***Pepsu Road Transport Corporation Versus National Insurance Company-(2013) 10 SCC 217***. In terms of the said judgment, the indemnity provided to the owner must be supported and the appeals by the Insurance Company would require to be dismissed and accordingly dismissed.

(K.KANNAN)
JUDGE

08.02.2016
sanjeev