

936.

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

FAO No.4316 of 2002 (O&M)

Date of decision:15.02.2016

United India Insurance Company Limited ... Appellant

versus

Amarjit Kaur and others Respondents

II. FAO No.4317 of 2002 (O&M)

United India Insurance Company Limited ... Appellant

versus

Surender Pal Singh and others Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr.Nitin Mittal, Advocate,
 for Mr. Gopal Mittal, Advocate,
 for the appellant.

 Mr. Abhinav Kalia, Advocate,
 for Mr. S.K. Monga, Advocate,
 for respondents 1 to 5.

K.Kannan, J. (Oral)

In both the appeals, the Insurance Company is in appeal on the ground of violation of terms of policy that the driver did not have a valid driving licence. The Tribunal has already awarded for recovery rights to the insurer after satisfying the claim of all the

claimants. This accords with the reasoning adopted by the Supreme Court in *New India Assurance Company Versus Kamla-(2001) 4 SCC 342* and *National Insurance Company Limited Versus Swaran Singh (2004) 3 SCC 297*. There is no scope for reappraising the order. Both the appeals are dismissed.

(K.KANNAN)
JUDGE

15.02.2016
sanjeev