

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

**FAO No. 2716 of 2009 (O&M)
Date of decision: 29.04.2016**

Ramesh Kumar and another

... Appellants

versus

Birmati Devi and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Surya Parkash, Advocate for the appellants.

Mr. Neeraj Khanna, Advocate for respondent No.1.

Mr. C.P. Tiwana, Advocate for respondent No.2.

K.Kannan, J. (ORAL)

The owner's grievance in appeal was that the recovery ordered was not justified, for, there was a route permit authorizing the vehicle to be plied. The copy of the permit was filed before the Court and I had directed at the previous hearing that the respondents will make verification of the same. The counsel appearing for the Insurance Company states that such verification was made and it has been found to be genuine.

The order for recovery cannot, therefore, to be sustained. The appeal by the owner and the driver also is allowed providing to them full indemnity against the award that is passed in favour of the claimants.

The appeal is allowed with the above observations.

**(K.KANNAN)
JUDGE**

29.04.2016

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