

972.

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

**FAO No.3347 of 2011**

Date of decision: 19.02.2016

IFFCO Tokyo General Insurance Company ... Appellant

versus

Smt. Radhika and others .... Respondents

**CORAM: HON'BLE MR. JUSTICE K. KANNAN**

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Present: Mr.Neeraj Khanna, Advocate,  
for the appellant.

None for the respondents.

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**K.Kannan, J.** (Oral)

The Insurance Company is in appeal to contend that the driver did not have a valid driving licence. It was a three wheeler and hence a LMV. The driver had a LMV licence. The person that died was a passenger in the three wheeler. Unless the Insurance Company has a case that it was used for hire and hence a transport vehicle, there is no requirement of a transport vehicle endorsement for the driver. The decision taken by the court below discarding the reliance placed on **Oriental Insurance Company Limited Versus Angad Kol and others-(2009) 11 SCC 356** as not applicable was perfectly justified and there is no merit in the appeal. The appeal is dismissed.

**(K.KANNAN)**  
**JUDGE**

19.02.2016

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