

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

**FAO No.4398 of 2012 (O&M)
Date of Decision: August 16, 2016.**

New India Assurance Company Limited

.....APPELLANT(s).

VERSUS

Kamaljit Kaur and others

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rajesh K. Sharma, Advocate
for the appellants.

None for respondent No.6.

Mr. P.S. Hundal, Senior Advocate with
Mr. Vivek Arora, Advocate
for respondents No.1 to 4.

SURINDER GUPTA, J.

CM-15883-CII-2015

Vide award dated 19.03.2012, Motor Accident Claims Tribunal, Chandigarh allowed the compensation and recovery rights to the insurer against the owner of the vehicle involved in the accident on the ground that there was breach of terms and conditions of the policy. It is submitted that an appeal bearing FAO No.1646 of 2013 titled '*M/s Sham Industries Vs. Kamaljit Kaur and others*' was filed against the award by the owner of the vehicle but the same was dismissed as withdrawn. Consequently, the application for additional evidence filed by the owner has become infructuous.

Dismissed accordingly.

FAO-4398-2012

For orders, see FAO No.3602 of 2012 (Kamaljit Kaur and others Vs. Balwinder Singh and others).

August 16, 2016.
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***