IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No. 2568 of 2013 (O&M)
Date of decision: 04.02.2016

Bharti Axa General Insurance Co.

... Appellant.

versus

Manjit Singh and others

.... Respondents

2. FAO No. 2569 of 2013 (O&M)

Bharti Axa General Insurance Co.

... Appellant.

versus

Tarsem Lal and others

.... Respondents

3. FAO No. 2570 of 2013 (O&M)

Bharti Axa General Insurance Co.

... Appellant.

versus

Tarsem Lal and others

.... Respondents

4. FAO No. 2571 of 2013 (O&M)

Bharti Axa General Insurance Co.

... Appellant.

versus

Om Parkash and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Rajbir Singh, Advocate for
Mr. Sanjeev Goyal, Advocate for the appellant.

Ms. Taruna Bhardwaj, Advocate for
Mr. G.S. Bhatia, Advocate for respondent Nos. 4 & 5.

K.Kannan, J. (ORAL)

The Insurance Company is in appeal complaining of the recoveries as not allowed to the insurer on a plea that the driver did not have an effective driving licence. According to him, the driver had only a transport vehicle endorsement on light motor vehicle licence and he did not have a heavy transport vehicle endorsement. This definition has been lost after the amendment was made in the rules in the year 1999. There is only one category of driving licence with 'transport vehicle endorsement' with the transport vehicle licence and there is no distinction between the 'LMV' and 'HTV' transport vehicle licence. The only difference which still subsists is rigourous testing skills for persons who drive dangerous vehicles containing inflammable articles. For any other category which is for a commercial purpose it is only a transport vehicle endorsement. There is no error in providing full indemnity for the owner/insured of the vehicle. There are no merits in the appeals and are dismissed.

(K.KANNAN)
JUDGE

04.02.2016
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