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

FAO No.8272 of 2015 (O&M)

Date of Decision : 17.03.2016

National Insurance Co. Ltd.

..... Appellant

Versus

Amarjit Kaur and others

..... Respondents

FAO No.8292 of 2015 (O&M)

National Insurance Co. Ltd.

..... Appellant

Versus

Veero @ Veer Kaur and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr.Suvir Diwan, Advocate for the appellant.

Mr. A.K. Spehia, Advocate for respondents No.1 to 5.
(in FAO No.8272 of 2015), for respondents No.1 to 3
(in FAO No.8292 of 2015)

Mr. B.D. Sharma, Advocate for respondent No.6.
(in FAO No.8272 of 2015), for respondent No.5
(in FAO No.8292 of 2015)

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This order shall dispose of FAO Nos.8272 of 2015, titled
as **National Insurance Co. Ltd. Vs. Amarjit Kaur and others** and
8292 of 2015, titled as **National Insurance Co. Ltd. Vs. Veero @**

Veer Kaur and others.

On 29.01.2016, the following condition was noticed:

“Learned counsel has argued that the accident took place with a tractor trolley where the tractor was insured but the trolley was not insured. In the circumstances, the insurance company could not have been foisted with the liability. To support his contention he has relied upon the judgment of this Court in the matter of **New India Assurance Co. Ltd. Vs. Sohan Lal and others, reported as 2014 ACJ 1583.**”

Today, learned counsel for the owner and the claimant have argued that the judgment in New India Assurance Company Ltd. Vs. Sohan Lal and others, 2014 ACJ 1583 was delivered without noticing the judgments titled as **United India Insurance Company Vs. Pritpal Singh, 1996(2) R.R.R. 335: 1996(2) PLR 49** and **United India Insurance Vs. Surinder, 2006 ACJ 1285**. This fact has also been considered in a Single Bench judgment of this Court passed in FAO No.1411 of 2008(O&M), titled as **Hawa Singh Vs. National Insurance Company Ltd. and others.**

Learned counsel for the appellant is not in a position to deny this fact that the judgment in **Sohan Lal's case (supra)** does not refer to the earlier two Division Bench judgments.

In the circumstances, the sole contention raised by learned counsel for the appellant is found to be mis-conceived.

Consequently, the appeals are dismissed.

March 17, 2016

jt

**(AJAY TEWARI)
JUDGE**