

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

257 RA-CR-18-CII-2016 in
 FAO No. 4262 of 2014

SANDEEP KAUR AND ANR VS HARJOT SINGH AND ORS

Present: Mr. Arnav Sood, Advocate
 for the appellants.

None for respondents no. 1 and 2.

Mr. Amit Jaiswal, Advocate
for respondent no. 3.

None has appeared for respondents no. 1 and 2, despite notice
to their counsel Mr. Arun Takhi, Advocate.

Heard.

The Tribunal while assessing liability of respondents to pay
amount of compensation has ordered that compensation amount shall be
paid by Insurance Company at the first instance and it shall have right to
recover the same from insured i.e. respondent no. 2. Against the award no
appeal was filed by respondent no. 2. However, while deciding the appeal
(FAO No. 4262 of 2014), this fact appears to have got omitted that
Insurance Company shall have the right to recover amount of compensation
from the insured.

Order dated 09.12.015 passed in FAO No. 4262 of 2014 is
modified to the extent that respondent no. 3 being insurer of the offending
vehicle shall be liable to pay amount of compensation at the first instance
and shall have right to recover the same from the insured.

Application stands disposed of.

August 03, 2016

jk

(SURINDER GUPTA)
JUDGE