

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

**FAO No. 2311 of 2016 (O&M)
Date of Decision:- 07.12.2017**

United India Insurance Co. Ltd.

....Appellant

Versus

Rahul & Anr.

...Respondents

CORAM: HON'BLE MR.JUSTICE AVNEESH JHINGAN

Present: Mr. Abhinandan Pandhi, Advocate, and
Ms. Manjari Nehru Kaul, Advocate, for the appellant.

Mr. I.S. Pabla, Advocate, for respondent No.1.

AVNEESH JHINGAN, J. (Oral)

Present appeal has been filed by the insurance company against award dated 13.01.2016 passed by Motor Accident Claims Tribunal, Karnal (for short, 'the Tribunal').

The issue raised in the present case is that the driver of the offending three-wheeler was holding a driving licence valid for driving motor-cycle, car, LMV and tractor.

The grievance of the insurance company is that since there was no endorsement for driving the commercial vehicle, the licence was not valid for driving three-wheeler.

The issue raised by the counsel for the appellant has no substance and deserve rejection. The same issue has been decided against the insurance company in FAO No. 4102 of 2015, decided on 08.11.2017. In the said decision reliance was placed upon the decision of Hon'ble Apex Court in **Mukand Dewangum Vs. Oriental Insurance Co. Ltd., 2016(4) SCC 298.**

In view of the above, the present appeal is dismissed.

December 07, 2017
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No