

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

Gurpreet Kaur
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high court

FAO No.2086 of 2017 (O&M)

Date of Decision: 29.03.2017

Dharminder Joshi

....Appellant

Versus

Rajwinder Kaur and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Naveen Batra, Advocate
for the appellant.

DAYA CHAUDHARY, J. (ORAL)

The present appeal has been filed to challenge the award dated 05.12.2016 passed by the Motor Accident Claims Tribunal, Barnala, whereby, the claim petition has been allowed and the insurer has been fastened with liability to pay the compensation with a further direction that insurer can recover the amount from the insured.

Learned counsel for the appellant submits that a wrong finding has been given and the route permit was not taken into consideration as it was not before the Tribunal.

The remedy is there to the appellant to approach the Tribunal as the route permit was not produced before the Tribunal and without availing that remedy, the present appeal has been filed.

No ground is made out to interfere.

In view of the submissions made by learned counsel for the appellant, the present appeal is disposed of.

However, the appellant is at liberty to avail the appropriate remedy.

The amount of ₹ 25,000/-, which has been deposited while filing the appeal, be returned to the appellant.

**(DAYA CHAUDHARY)
JUDGE**

29.03.2017

gurpreet

Whether speaking/reasoned

Yes

Whether Reportable

Yes