

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

LPA no. 1764 of 2017 (O&M)

Date of Decision :19.09.2017

Bharti AXA General Insurance Co.Ltd.

....Appellant(s)

Versus

The Permanent Lok Adalat Public Utility Services Karnal and another

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJ SHEKHAR ATTRI**

Present : Mr.Sanjeev Goyal, Advocate for the appellant(s)

MAHESH GROVER, J.(ORAL)

The appellant is in appeal against the order dated 31.7.2017. As an Insurance Company they refuted the claim of the respondent-claimant on account of an accident.

The ground which was taken up to refute the claim was that an earlier policy prior to the period in question was fake. The terms of the policy were valid from 23.1.2012 to 22.1.2013 and the accident occurred on 3.7.2012 implying that it was during the subsistence of a valid policy. Merely because an earlier policy was fake would thus be inconsequential to the claim of the respondent.

Learned counsel for the appellant contends that they had refuted the claim on the ground of violation of terms of policy as well.

We notice from the impugned judgment that no such argument

has been addressed. Rather learned Single Judge had observed that no other argument has been addressed except the one pertaining to repudiation of the claim on the ground of prior fake policy. We thus do not find any ground to interfere particularly, when the latter issue was never raised before the learned Single Judge.

Hence, dismissed.

(Mahesh Grover)
Judge

(Raj Shekhar Attri)
Judge

19.09.2017

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Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No