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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Decided on: 9th November, 2017

+ **MAC APPEAL No. 60/2012**

ORIENTAL INSURANCE CO. LTD. Appellant
Through: **Mr. Amit Gaur, Adv.**

versus

MUNNA LAL & ORS. Respondents
Through: **None.**

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

JUDGMENT (ORAL)

1. The appeal by the insurer directed against liability fastened on it to pay compensation in terms of judgment dated 02.08.2011 of the Motor Accident Claims Tribunal in accident claim case (suit no. 392/2010) of first and second respondents (collectively, the claimants) on account of death of Sandeep Kumar in motor vehicular accident that had occurred on 01.09.2010 involving negligent driving of bus bearing registration no. DL 1PB 9181, is pressed only to seek recovery rights on the ground that there was no valid permit. No other issue is pressed.

2. Having heard the learned counsel for the appellant and having perused the record, this Court finds no substance in the appeal particularly in view of the finding returned that the transport authority

had cancelled the permit w.e.f. 24.12.2010 pursuant to show cause notice that had been issued on 06.12.2010, the last renewal proved being from 10.05.2010.

3. The appeal is dismissed.

4. By order dated 17.01.2012, the insurance company had been directed to deposit the entire awarded amount with the Registrar General and by order dated 04.05.2012, part thereof was permitted to be released to the claimants. The registry shall now release the balance to the claimants in terms of the judgment of the tribunal.

5. The statutory amount shall be refunded.

R.K.GAUBA, J.

NOVEMBER 09, 2017

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