

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 2466 of 1995 (O&M)

Date of Decision:12.01.2018

The New India Assurance Company Ltd.

.....Appellant

Versus

Krishan Kumar and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Neeraj Khanna, Advocate
for the appellant-Insurance Company.

None for respondents.

AVNEESH JHINGAN, J.

The present appeal has been filed by the Insurance Company against the award dated 23.08.1995 passed by the Motor Accidents Claims Tribunal, (Hisar).

This was burnt case and has been reconstructed from the salvaged record and copies supplied by counsels subject to all just exceptions.

The only issue raised in the present appeal is:

"Whether a fake licence which is validly renewed would be a valid licence or not?"

Learned counsel for the Insurance Company relies upon **United India Insurance Company Versus Davinder Singh 2007 (8) SCC 698**. He contends that subsequent renewal of the driving licence will not validate the fake licence.

The Tribunal while passing the award relied upon the judgment titled as *National Insurance Company Limited Versus Sucha Singh and others, 1994 (2) S.L.J. 1005.*

In such circumstance, it is deemed appropriate that the issue only with regard to liability is remitted back to the Tribunal to be decided according to the law. Needless to say that the issue would be decided after affording opportunity to the parties.

12.01.2018
reema

(AVNEESH JHINGAN)
JUDGE

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