

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

205

FAO-4806-2010 (O&M)
Date of decision: 16.02.2018

NATIONAL INSURANCE COMPANY LTD. ... Appellant

Versus

MASTER ARMAN & ORS. ... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. D.P. Gupta, Advocate for the appellant.

REKHA MITTAL, J. (Oral)

The present appeal directs challenge against award dated 07.06.2010 passed by the Motor Accidents Claims Tribunal, Faridabad whereby compensation has been awarded in respect of injuries sustained by Master Arman (minor) in a motor vehicular accident that took place on 24.10.2007.

Counsel for the insurance company, at the outset, would inform that the appeal has been preferred to assail findings of the Tribunal only qua validity of driving licence possessed by Rakesh Kumar Choubey, driver of Bus No.HR-38-H-9703. It has further been informed to the Court that the issue raised by the insurance company no longer survives in view of the latest judgment of Hon'ble the Supreme Court **Mukund Dewangan vs. Oriental Insurance Company Limited 2017(7) Scale 731** as gross vehicle weight is less than 7500 kgs., therefore, it falls under the definition of Light Motor Vehicle under Section 2(21) of the Motor Vehicles Act, 1988.

In view of the above, the appeal stands disposed of.

16.02.2018

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No