

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

CWP No.24300 of 2018

Date of decision: September 24, 2018

Regional Manager, Oriental Insurance Co. Ltd.

...Petitioner

Versus

Sanghmeshwar Educational Trust and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. S.S.Sidhu, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner has challenged the order of the Permanent Lok Adalat dated 16.03.2018 by which application filed by respondent no.1 under Section 22-C of the Legal Services Authority Act, 1987 has been allowed and the petitioner has been directed to pay ₹16,41,397/-, as assessed by the Surveyor vide his report Annexure P-5.

Counsel for the petitioner has submitted that the petitioner is not liable to pay any amount because the accident has taken place due to negligence of respondent no.1. In this regard, counsel for the petitioner has referred to the opinion/report of the Haryana Forensic Science Laboratory, Madhuban, Karnal and has also referred to the allegations made in the FIR registered against respondent no.1 but there is no dispute that respondent no.1 has been acquitted in that case by the Competent Court. Therefore, the question of negligence on the part of respondent no.1 has not been proved.

No other point has been raised.

In view of the above, I do not find any merit in the present petition and hence, the same is hereby dismissed, though without any order as to costs.

September 24, 2018
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No