

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

Date of Decision : 08.10.2018

1.

FAO No.1342 of 2014 (O&M)

United India Insurance Company

..... Appellant

Versus

Javed and another

..... Respondents

2.

FAO No.1622 of 2014 (O&M)

United India Insurance Company

..... Appellant

Versus

Mohd. Nisar and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Vikas Mohan Gupta, Advocate
for the appellant.

Mr. Atul Jain, Advocate
for respondents No.1 and 2.

AJAY TEWARI, J. (Oral)

This order shall dispose of above mentioned two appeals. As
common question of facts and law are involved the facts are being taken
from FAO No.1342 of 2014.

These two appeals have been filed against the award dated 14.08.2013 passed by the Motor Accident Claims Tribunal, Patiala whereby the appellant-Insurance Company has been held liable to make the payment of compensation in the first instance and recovery rights have been granted to it. It is the contention of the learned counsel for the appellant-Insurance Company that in such a case the Insurance Company should have been absolved.

Counsel for respondents No.1 and 2 states that since no stay was granted in these appeals, the award has been satisfied by the Insurance Company and now the only option before the appellant-Insurance Company is to recover it from the owner/driver.

Counsel for the appellant-Insurance Company states that though he has no information regarding this fact but he is also not in a position to doubt the statement of counsel for respondents No.1 and 2.

In the circumstances, these appeals have become infructuous in view of the statement made by the learned counsel for respondents No.1 and 2.

It is made clear that the question of law has not been decided.

Since the main cases have been decided, the pending civil miscellaneous applications, if any, also stand disposed of.

(AJAY TEWARI)
JUDGE

08.10.2018
Pooja sharma-I

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No