

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

FAO No. 2902 of 2013 (O&M)

Date of Decision : 15.02.2018

Manish Mehta

....Appellant

Versus

New India Assurance Co. Ltd. and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rajinder Singh Rangpuri, Advocate
for the appellant.

Mr. D.K. Prajapati, Advocate
for Mr. R.S. Madan, Advocate
for respondent no. 1.

Surinder Gupta, J. (Oral)

Learned counsel appearing for respondent no. 1-Insurance Company submits that Insurance Company has verified the driving licence of Sandeep Mehta, who was driving the offending vehicle and has found the same as genuine. The Tribunal has allowed recovery rights against the appellant with the finding that driving licence of Sandeep Mehta was not produced. As the licence has now been produced and has been found to be genuine, the Insurance Company no more claims the right to recover the compensation paid to claimants against the appellant.

In view of submission of learned counsel for respondent no. 1-Insurance Company, the instant appeal is allowed and judgment of the Tribunal is modified to the extent that New India Assurance Co. Ltd. i.e. respondent no. 1 shall not have any right to recover the amount of compensation paid to claimants against the appellant.

February 15, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No