

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

F.A.O. No. 489 of 2013 (O&M)

Date of Decision: 15.05.2018

Karam Chand and another

.....Appellants

Versus

Hansraj and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Inderjeet Sharma, Advocate
for the appellants.

Mr. Vinod Gupta, Advocate
for respondent No.3.

AVNEESH JHINGAN, J.(oral)

The owner of truck bearing registration No. HP-14-7460 has filed the appeal against the award dated 19.11.2012 passed by the Motor Accident Claims Tribunal, Panchkula,(for short 'the Tribunal').

In a motor vehicular accident that took place on 27.09.2010 Anil Kumar lost his life. The legal heirs of the deceased filed a claim petition under Section 166 of the Motor Vehicles Act, 1988 (for short 'the Act'). The Tribunal awarded a sum of Rs.5,50,000/- along with interest at the rate of 7.5% per annum. The insurer of the offending vehicle was exonerated as the driving licence produced in the Court was found fake.

The owner of the offending vehicle has filed an application for producing additional evidence which the driving licence has been annexed. Vide order dated 17.10.2014 the Insurance Company was given an opportunity to verify the said driving licence. Inspite of number of dates, till date no verification report has been filed.

Learned counsel for the Insurance Company argued that more time would be required to verify the licence.

Learned counsel for the appellants states that the said licence now produced was already there on record of the Tribunal.

In view of the facts and circumstances of the case, the matter is remitted back to the Tribunal to decide only the issue of liability to pay compensation. The parties would be at liberty to adduce their evidence with regard to the validity of licence annexed with application

Parties are directed to appear before the Tribunal on 11.09.2018.

15.05.2018
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(AVNEESH JHINGAN)
JUDGE

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