

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.1939 of 2016 (O&M)

Date of decision: 05.02.2019

Ranbir Chander

..... Appellant

Versus

ICICI Lombard General Insurance and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Kashish Garg, Advocate
for the appellant.

Mr. Sandeep Suri, Advocate and
Mr. Amrinder Singh Sidhu, Advocate
for respondent No.1-Insurance Company.

Ms. Anju Arora, Additional AG, Punjab.

ANIL KSHETARPAL, J.(ORAL)

Owner is in the appeal against the Award passed by the Motor Accident Claims Tribunal against recovery rights given to the Insurance Company.

Learned Motor Accident Claims Tribunal has found that the driving licence produced is forged.

Along with the appeal, an application for permission to place on record additional evidence was filed in which information received under Right to Information Act from the licence issuing authority was attached. According to the aforesaid information, the driving licence has been renewed by the District Transport Office. Since Insurance Company had disputed this information and produced a certificate which stated that

the driving licence only had been renewed by the District Transport Office, Gurdaspur.

Keeping in view the dispute, counsel representing the State of Punjab was directed to apprise this Court about the correct position. In deference to the order, District Transport Officer now designated as Regional Transport Officer has appeared in Court. He has stated that the driving licence has been renewed by his office but it was never issued by his office. There is no reason to doubt that the correctness of the statement made in Court. Once the original driving licence is not proved to be genuine, the renewal thereof would not make a fake licence valid merely on account of renewal.

Accordingly, there is no ground to interfere with the Award passed by the Motor Accident Claims Tribunal.

The pending miscellaneous application, if any, shall stand disposed of accordingly.

Appeal is dismissed.

The application (CM-7455-CII-2016) for additional evidence is also disposed of as original licence is not proved to have been issued by the then District Transport Office, Gurdaspur.

There is an application (CM-7453-CII-2016) for condonation of delay of 690 days in filing the appeal. Since the appeal has been examined on merits, therefore, no further order is required.

05.02.2019
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No