

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

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Date of Decision : 18.09.2018

1. FAO No.7044 of 2015 (O&M)

National Insurance Co., Ltd.

..... Appellant

Versus

Jasbir Kaur and others

..... Respondents

2. FAO No.7045 of 2015 (O&M)

National Insurance Co., Ltd.

..... Appellant

Versus

Harbans Kaur and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present: Mr. Gopal Mittal, Advocate
for the appellant.

Mr. Anterpreet Singh, Advocate
for the respondents-claimants.

AJAY TEWARI, J. (Oral)

These two appeals have been filed by the insurance company claiming that instead of recovery rights which have been granted to them by the Tribunal the insurance company should have been completely absolved. The ground taken is that the licence was not valid. It is not disputed that as per the decision of the Supreme Court passed in

Francisca Luiza Rocha and others Vs. K.Valarmathi and others, 2018

(1) RCR (Civil) 409. In a similar case where the driving licence had expired the Supreme Court has held that the insurance company would be liable to satisfy the award and thereafter seek recovery if so advised.

Counsel for the appellant is not in a position to cite any contrary judgment.

In the circumstances, these appeals stand dismissed.

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

18.09.2018
pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No