

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

-.-

FAO 1775 of 2017 (O&M)
Date of decision: 16.07.2018

Reliance General Insurance Co Limited *Appellant*

Versus

Naveen Kumar and others *Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Sanjeev Kodan, Advocate
for the appellant

Mr. Arun Luthra, Advocate
for respondents No. 2 and 3

-.-

Rekha Mittal, J. (Oral)

The present appeal directs challenge against award dated 03.02.2017 passed by the Motor Accidents Claims Tribunal, Sonipat whereby compensation has been awarded on account of injuries sustained by Naveen Kumar in a motor vehicular accident that took place on 14.02.2015.

Counsel for the insurance company would inform that appeal has been preferred by the appellant-insurance company only on the issue of driving licence possessed by driver of the offending vehicle i.e. three wheeler bearing No. HR 69B 5341. As the driver of offending vehicle was holding light motor vehicle licence and vehicle in question falls within the definition of LMV under Section 2(21) of the Motor Vehicles Act, 1988, contention raised by the appellant that the driver was not competent to drive

the vehicle in question is no longer sustainable in the light of latest judgment of Hon'ble the Supreme Court ***Mukund Dewangan vs Oriental Insurance Co. Ltd., 2017 (7) Scale 731.***

No other point has been raised.

For the foregoing reasons, the appeal fails and is accordingly dismissed leaving the parties to bear their own costs.

(Rekha Mittal)
Judge

16.07.2018
mohan bimbra

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No