

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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FAO No.7343 of 2017 (O&M)

Date of decision: 30.07.2018

IFFCO TOKIO General Insurance Company Ltd.

..... Appellant

Versus

Indrawati and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Neeraj Khanna, Advocate and
Mr. Ravinder Arora, Advocate
for the appellant.

ANIL KSHETARPAL, J. (ORAL)

CM-24397-98-CII-2017

Both the applications are allowed and the delay in filing and re-filing the appeal is condoned.

Main Case

Insurance company is in appeal against the award passed by the learned Motor Accident Claim Tribunal awarding a sum of Rs.2,75,000/- on account of death of Bali Singh, the predecessor-in-interest of the claimants.

Learned counsel for the appellant-insurance company has submitted that the driving licence produced by Satbir, the driver of the offending vehicle (car), was not a valid driving licence. He submitted that Satbir was resident of Haryana whereas the driving licence produced is issued from the State of Nagaland.

This Court has considered the submission, however, the respondents including the insurance company has not produced any

evidence to prove such assertion. No doubt, a notification dated 01.08.2014 has been produced but such notification does not dispensed with the requirement of the respondents to prove that the driving licence produced is fake. As noticed above, the respondents have not led any evidence during the course of trial. Even correctness of the licence has not been got verified.

In such circumstances, there is no ground to interfere with the order passed by the Tribunal.

Appeal is dismissed.

30.07.2018

Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No