

In the High Court of Punjab and Haryana at Chandigarh

**FAO- 48 of 2019(O&M)
Date of Decision: 10.1.2019**

National Insurance Company Limited

---Appellant

versus

Gurmukh Singh and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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

Rekha Mittal, J.

The present appeal directs challenge against award dated 26.10.2018 passed by the Motor Accidents Claims Tribunal, Chandigarh (in short “the Tribunal”) whereby compensation has been awarded in respect of injuries sustained by Gurmukh Singh in a motor vehicular accident that took place on 18.11.2015 and the insurance company has been given right of recovery after payment of compensation to the claimant.

The sole submission made by counsel for the appellant is that the alleged offending vehicle has falsely been implicated with a clear intent to extract money from the insurance company. It is further argued that findings of the Tribunal on issue No. 1 are not based upon correct appreciation of materials on record.

I have gone through findings of the Tribunal on issue No. 1 but find it difficult to differ with the same.

Counsel, in response to a query, would fairly inform that as per

his instructions, challan has been presented against driver of the offending vehicle after due investigation of FIR No. 285 dated 20.11.2015 registered at Police Station, Zirakpur in respect of the occurrence in question. In this view of the matter, contention raised by the appellant to assail findings of the Tribunal on issue No. 1 is not meritorious and accordingly rejected.

No other point has been raised.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine.

(Rekha Mittal)
Judge

10.1.2019

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No