

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

**Date of Decision :28.02.2019
FAO No.2608 of 1996 (O&M)**

National Insurance Company Limited

.....Appellant

Versus

Nasib Din and others

..... Respondents

FAO No.2609 of 1996 (O&M)

National Insurance Company Limited

.....Appellant

Versus

Inder Singh and others

..... Respondents

FAO No.2610 of 1996 (O&M)

National Insurance Company Limited

.....Appellant

Versus

Inder Singh and others

..... Respondents

CR No.3711 of 1996 (O&M)

National Insurance Company Limited

.....Appellant

Versus

Joginder Singh and others

..... Respondents

CR No.3712 of 1996 (O&M)

National Insurance Company Limited

.....Appellant

Versus

Telu Ram @ Malkiat Singh and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Mr. D.P.Gupta, Advocate for the Insurance Company.

None for the respondents.

KRISHNA MURARI, CHIEF JUSTICE (Oral):

These two civil revisions and three FAOs are directed against the common award dated 8.6.1996, passed by the Motor Accident Claims Tribunal, arising out of the same accident.

In so far as the two civil revisions are concerned the awarded amount is Rs.5,000/- in both the matters and an appeal could not have been filed because of the Statutory bar contained in the Act because of amount being too meagre. Once the Statute bars filing of the appeal the remedy of revision cannot be availed and therefore the two Civil Revision Nos. 3711 of 1996 and 3712 of 1996 are accordingly stand dismissed.

In so far as the three FAOs are concerned, vide order dated 17.09.1996, at the motion stage, the appeal was dismissed against the claimants and notices were issued only as against respondents Nos. 3 and 4, owners of the offending vehicle.

Learned counsel for the Insurance Company vehemently

contended that the renewal of a driving licence, subsequently, would not make it genuine if initially it was fake licence and it was incumbent upon the Tribunal to have given the Insurance Company a right of recovery from the owners of the offending vehicle.

We have considered the argument advanced by learned counsel for the Insurance Company and perused the records.

The tribunal, after analyzing the documentary and oral testimony tendered on the point in issue, came to the finding that since the licence was subsequently renewed from Licensing Authority, Bathinda, as per the report Ex.R2, the same would be treated to be a valid licence.

In view of the finding returned by the Tribunal and the fact that the appeal has remained pending before this Court since 1996 and keeping in view the entire totality of the facts and circumstances, we are not inclined to interfere in the matters, the appeals accordingly stand dismissed.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

28.02.2019

Manoj Bhutani

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