

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

CWP No.19180-2015

Date of Decision:03.09.2019

The New India Assurance Co.Limited,Karnalpetitioner

Versus

Gurdial Singh and anotherrespondents

CORAM: HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr.R.K.Bashamboo, Advocate
for the petitioner

Mr.Aashish Gupta, Advocate
for respondent No.1

RAJIV NARAIN RAINA, J. (ORAL):

This is a petition under Article 226/227 of the Constitution of India for issuance of writ in the nature of certiorari for quashing the Award dated 12.05.2015 (Annexure P8) passed by the permanent Lok Adalat (Public Utility Services) Karnal.

There is no reason to disregard the report of the surveyor assessing the total amount at Rs.1,00,265.80/- and Rs.1500/- for salvage bringing the total loss to Rs. 1,01,765.80/-. Surveyor has done a meticulous job and no bias, mala fide or wrong doing is attributed to him by the claimant-respondents. If the claim turns on a non standard basis, the relief can be reduced to 25% of the assessed amount that works out to be Rs.74,074/-. Cost of Rs. 5500/- will have to be paid. These two amounts will be paid by the Insurance Company to the respondents minus the amounts already paid. The amount would carry interest as awarded by the permanent lok adalat, who settled their disputes.

With these observations, the petition stands disposed of.

03.09.2019

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**(RAJIV NARAIN RAINA)
JUDGE**

Whether speaking/reasoned

Yes/No.

Whether reportable-

Yes/No