

FAO No.1253 of 2015 (O&M)

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

FAO No.1253 of 2015 (O&M)
Date of decision: 26.08.2019

Suresh Kumar

.....Appellant

versus

Data Ram and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. J.P. Sharma, Advocate, for the appellant.
Mr. Pradeep Kumar, Advocate, for respondent No.3.

RAMENDRA JAIN, J. (ORAL)

Though this appeal claimant has sought enhancement of compensation awarded by Motor Accident Claims Tribunal, Narnaul, vide award dated 03.07.2014.

Learned counsel for respondent No.3 – Insurance Company relying upon judgments of this Court in *Smt. Krishna Devi v. Surinder Singh and others*, FAO No.129 dated 1996 decided on 24.10.2016, *Parveen Kumar @ Lovely v. M/s Sunrise Travels and others*, FAO No.1635 of 2013 decided on 15.02.2018 and *Kamlesh and another v. Ravinder and others*, FAO No.2184 of 2014 decided on 18.08.2017 contends that this appeal is not maintainable or has rendered infructuous in view of dismissal of appeal against respondent No.2 i.e. owner of the offending vehicle vide order dated 13.11.2017 inasmuch as recovery rights were given to respondent No.3-Insurance Company to recover the awarded

FAO No.1253 of 2015 (O&M)

Heard.

Considering dictum in above referred authorities, this appeal is dismissed inasmuch as there is no privity of contract between respondents No.1 and 3.

(Ramendra Jain)
Judge

August 26, 2019
R.S.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No