

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No.5316 of 2013 (O&M)
Date of Order: 08.01.2019

Kundan Singh

..Appellant

Versus

New India Assurance Co. and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. APS Tung, Advocate,
for the appellant.

Mr. Jagjit Singh Chatrath, Advocate, for
Mr. Ashwani Talwar, Advocate,
for respondent no.1.

ANIL KSHETARPAL, J(Oral)

Owner is in appeal against the award passed by the learned
Motor Accident Claims Tribunal, Gurdaspur.

The Insurance Company has been absolved from liability on the
ground that the driving licence produced by the driver of the offending
vehicle has been found to be fake.

Although, learned counsel for the appellant made sincere
attempt but in absence of any evidence with regard to genuineness of the
licence, this court does not find any good ground to interfere. It may be
noticed that the owner as well as driver did not appear in evidence before
the learned Motor Accident Claims Tribunal. The Insurance Company
tendered copy of the insurance policy but since driving licence possessed by
the driver namely Ajit was found to be fake as per the report submitted
before the learned Motor Accident Claims Tribunal, therefore, the Insurance

Company was absolved from liability.

Keeping in view the aforesaid facts, there is no good ground to interfere.

The appeal is dismissed.

C.M.No.22727-CII-2013

Allowed as prayed for.

C.M.No.22728-CII-2013

Deficiency in stamp duty has been made good. Delay, if any, condoned.

C.M.No.22729-CII-2013

Prayer in this application is for condonation of delay of 983 days in filing the appeal.

For reasons mentioned in the application, which is supported by an affidavit, the delay of 983 days in filing the appeal is condoned.

C.M.No.22730-CII-2013

Application is allowed.

Exemption as prayed for is granted.

January 08, 2019
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(ANIL KSHETARPAL)
JUDGE

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