

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

248

FAO-2161-2018

Date of Decision : September 25, 2019

EKTA JINDAL AND ORS.

.....Appellants

VERSUS

NATIONAL INSURANCE COMPANY LIMITED AND ANR.

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Sharnav Katyal, Advocate for the appellants.
Mr. Deepak Suri, Advocate for the respondent-Insurance Co.

NIRMALJIT KAUR, J. (Oral)

No one appears on behalf of respondents No.1 and 2 inspite of service.

In the present case, the claim-petition has been dismissed simply on the ground that the identity of the driver is not proved.

Learned counsel for the parties do not dispute that the matter requires to be remanded back in view of the other claim-petitions having been allowed by various other Courts related to the same accident and the driver in those claim-petitions is also the same, the appeal filed against the awards granting compensation to the claimants in the same accident has also since been dismissed.

Accordingly, in view of the above, the award dated 1.9.2017 is set-aside and in view of the order passed in FAO-27-2018, the matter is remanded back to the Tribunal for afresh decision.

Let the parties appear before the Tribunal on 16.10.2019.

Disposed of.

September 25, 2019
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(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No