

In the High Court of Punjab and Haryana at Chandigarh

FAO- 7382 of 2018(O&M)

Date of Decision: 9.4.2019

United India Insurance Company Limited

---Appellant

versus

Kamli and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Satpal Dhamija, Advocate
for the appellant**

Rekha Mittal, J.
CM Nos. 26919-CII of 2018

Prayer in this application is for condoning delay of 21 days in re-filing the appeal.

Heard.

Allowed as prayed for. Delay of 21 days in re-filing the appeal stands condoned.

Disposed of accordingly.

Main case

The present appeal directs challenge against order dated 8.8.2018 passed by the Commissioner, Hisar under the Employees Compensation Act, 1923 (in short “the Act”) whereby compensation has been assessed on account of death of Kashi Ram while working as driver on Tata 407 bearing registration No. HR-62-3921 owned by Ami Lal.

The sole submission made by counsel for the appellant is that as driving licence of Kashi Ram was not produced on record by taking a plea by Ami Lal that the same has been misplaced, the insurance company is entitle to be exonerated of liability to pay compensation or in the alternative, should be given right of recovery against the insured after payment of compensation to the claimants.

The controversy raised in the present appeal is squarely covered against the insurance company in the light of judgment of this Court “**New India Insurance Company Limited vs. Bawa Singh and others**” FAO No. 993 of 1996 along with connected cases decided on 27.3.2019.

No other point has been raised.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine.

(Rekha Mittal)
Judge

9.4.2019

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No