

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 4521 of 2013
Date of decision: 8.3.2019

National Insurance Company Ltd.

.. Appellant

v.

Manjit Kaur and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Suvir Dewan, Advocate for the appellant.
Mr. S. K. Bawa, Advocate for respondents No. 6 and 7.

...

AVNEESH JHINGAN, J. (Oral)

The award dated 11.4.2013 passed by the Motor Accident Claims Tribunal (Adhoc) Fast Track Court, Hoshiarpur (for short, 'the Tribunal') under Section 166 of the Motor Vehicles Act, 1988 (for short, 'the Act') has been assailed by the insurer of Tralla bearing registration No. PB08-BN-6137 (hereinafter referred to as 'the offending vehicle').

The grievance raised in the appeal is that the driving licence produced by the driver of the offending vehicle was fake and the Tribunal wrongly held that it was valid at the time of accident.

The facts in brief are that a motor vehicular accident took place on 29.7.2011 which proved fatal for Balbir Singh. The accident was caused due to the rash and negligent driving of the offending vehicle.

A claim petition under Section 166 of the Act was filed by the legal heirs of Balbir Singh. The Tribunal awarded a sum of ₹19,37,044/-

along with interest @ 6% per annum. The owner, driver and the insurer of the offending vehicle were held jointly and severally liable to pay the compensation.

During the pendency of the appeal, the driver and owner of the offending vehicle filed an application for adducing additional evidence to produce on record the verification reports (Annexures R-1 to R-4) received under the Right to Information Act, 2005.

Notice in the application was issued to the appellant.

Today, the appellant has filed reply along with an affidavit to the application in court. The same are taken on record. It has been stated in para No. 3 of the affidavit that the driving licence produced before the Tribunal as Ex. R3 has been verified by the insurer and found to be genuine.

In view of the above, no interference is called for in the award dated 11.4.2013 with regard to the liability to pay the compensation.

The appeal is dismissed.

(AVNEESH JHINGAN)
JUDGE

8.3.2019
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No