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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Decided on: 25.09.2019

+ **MAC.APP. 678/2019, CM APPL. 31934/2019 & CM APPL. 31935/2019**

RAKSHIT SINGH

..... Appellant

Through: Mr. S.D. Baloni, Advocate alongwith
appellant.

versus

**TARLOCHAN SINGH & ANR (M/S UNITED INDIA
INSURANCE CO LTD)**

..... Respondents

Through: Mr. Pradeep Gaur, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

NAJMI WAZIRI, J. (Oral)

1. The award of compensation dated 11.04.2019 passed by the learned MACT in MACP No. 230/2018 is impugned on the ground that the impugned order has erred in not considering the learner's driving licence issued to the appellant on 03.01.2018. The fallacy in his contention is as evident, because the accident had happened on 26.11.2017 and on that date, the appellant admittedly did not hold any valid driving licence. Therefore, the document issued subsequent to it would have no relevance.

2. The impugned order has dealt with this issue as under:-

"57. The respondent no. 1 has also examined himself as RIW1 and he has also admitted in his cross-examination that at the date of accident, he did not have permanent driving license. The respondent no. 1 has also stated that he had

learner DL and he had offered the learner DL to the IO but he had not accepted his learner DL. The respondent no. 1 has further stated that he did not file any learner DL or permanent DL at the time of accident in the Court.”

3. On a query put to the learned counsel for the appellant whether on the date of accident the appellant ever possessed a driving licence, be it even a learners driving licence, the answer is in the negative.

4. In view of the above, there is no merit in the appeal. It is, accordingly, dismissed. The pending applications are also dismissed.

SEPTEMBER 25, 2019

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NAJMI WAZIRI, J



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