

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

FAO-310-2021 (O&M)

Date of decision: 20.09.2021

New India Assurance Company Limited

....Appellant

Versus

Sushil Kumar and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Vinod Gupta, Advocate for the appellant

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The insurer has filed the present appeal challenging the correctness of the award dated 25.11.2019 passed by the Motor Accident Claims Tribunal, Kurukshetra (hereinafter referred to as 'the Tribunal'), while assessing the compensation of Rs.17,98,000/- payable to the claimants (widower and his two children) Smt. Sonia Rani lost her precious life in an automobile accident on 16.03.2018. It was held that Driver - Jugraj Singh while driving the truck in a rash and negligent manner killed Smt. Sonia Rani.

Learned counsel representing the appellant does not dispute the correctness of the findings arrived at by the Tribunal with respect to rash and negligent driving of the driver of the truck or the quantum of compensation. However, he contends that on the date of accident the truck had no valid route permit and therefore, the insurer is not liable.

The Tribunal after examining the route permit Ex.R1 held that the truck was having a valid route permit on 16.03.2018 because the

route permit was valid from 31.07.2016 to 31.07.2018.

The learned counsel representing the appellant contends that the route permit has been renewed at a later date. Once the permit has been renewed in accordance with law, it takes effect from the date it had expired.

Keeping in view the aforesaid facts, no ground to interfere is made out out.

Hence, dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

20.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE