

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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FAO No.343 of 2022 (O&M)

Date of decision:11.02.2022

United India Insurance Company Ltd.

...Appellant

Versus

Naresh Kumar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Brig. B.S.Taunque, Advocate
for the appellant.

ANIL KSHETARPAL, J (Oral)

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

Through this appeal, the Insurance Company assails the correctness of the award passed by the Motor Accident Claims Tribunal, Hisar (hereinafter referred to as 'the Tribunal') while awarding a sum of Rs.87,847/- to the injured.

On a careful reading of para 10.9, it is evident that the amount of Rs.44,354/- has been awarded towards the medical expenses incurred by the injured.

The learned counsel representing the Insurance Company contends that the motorcycle on which the injured was travelling was not insured and therefore, it could not be permitted to be driven on the road.

In the considered view of the Court, once the accident has taken place with a truck which is insured and the Tribunal has found that the aforesaid truck was being driven rashly and negligently, then, merely because the motorcycle was not insured, does not result in depriving the

amount to the claimant, who has suffered loss.

No other point was pressed by the learned counsel representing the Insurance Company.

Keeping in view the aforesaid facts, the appellant-Insurance Company has failed to make out a case for interference.

Hence, dismissed.

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

February 11, 2022
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(ANIL KSHETARPAL)
JUDGE

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