

In the High Court of Punjab and Haryana, at Chandigarh

F.A.O. No. 2264 of 2000 (O&M)

Date of Decision: 01.06.2022

The New India Assurance Company Limited

... Appellant(s)

Versus

Smt. Kaushal Virmani and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Neeraj Khanna, Advocate
for the appellant(s).

Mr. Rajiv Sharma, Advocate
for the respondent No.1 to 3.

Anil Kshetarpal, J.

1. The insurance company assails the correctness of the award dated 08.04.1999, passed by the Motor Accident Claims Tribunal, Karnal (hereinafter referred to as “the Tribunal”). He contends that late Sh.Subhash Chander Virmani was travelling in a motor car which met with an accident. He submits that the insurance company had only issued a third party policy, which would not include the passenger of the car.

2. The learned counsel representing the insurance company fairly admits that in view of the judgment passed in *Shiv Lochan Singh alias Bhola v. National Insurance Co. Ltd. and Others 2018(1) RCR (Civil) 559*, the passenger travelling in the vehicle has been held to be included in the third party policy. However, he submits that the matter is pending before the Supreme Court. Respectfully following the aforesaid judgment, the present

3. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

June 01, 2022

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No