



CWP-3577-2025

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

(281)

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Date of Decision : 26.03.2025

The New India Assurance Company Ltd.

...Petitioner

Versus

M/s Bindal Associates and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Punit Jain, Advocate
for the petitioner.

Mr. Suryaveer Surjewala, Advocate
for the respondent No.1.

KULDEEP TIWARI, J.(ORAL)

1. The petitioner-Insurance Company, has thrown a challenge to the award dated 16.10.2024 (Annexure P-1), passed by the learned Permanent Lok Adalat, Panchkula.

2. At the time of issuance of notice of motion, vide order dated 07.02.2025, this Court, had passed the hereinafter extracted order upon the instant writ petition :-

“1. The instant writ petition encompasses the prayer for setting aside the award dated 16.10.2024, whereby, the Permanent Lok Adalat has held the respondent No.1 entitled for getting the insured declared value of truck bearing Registration No. HP-93-3833 of ₹ 26,24,375/-. The respondent No.1 has also been held entitled for getting compensation of ₹ 10,000/- as mental harassment and ₹ 5,000/- as litigant expenses. Moreover, the respondent



No.1 has been held entitled for interest @ 9% per annum on the awarded amount from the date of filing the case till its realization. 2. The learned counsel for the petitioner submits that, he does not intend to assail the impugned award on merits, rather his submission is that, for the purpose of making compliance of the directions (supra) enclosed in the impugned award, the respondent No.1 is required to furnish the following documents and to complete the following formalities:-

“(1) RC to be transferred/cancelled in the petitioner’s name; (2) Letter of Indemnity on Rs. 100/- Non-Judicial Stamp paper duly attested by Notary and affix notarized stamp of Rs.5/-. Submit it to Claim Hub. The affidavit has to be signed by two independent witnesses alongwith attested copies of their Aadhar Card or Pan Card.

(3) Letter of Subrogation on Rs. 100/- Non-Judicial Stamp paper duly attested by the Notary and affix notarized stamp of Rs.5/-. Submit it to Claim Hub. The affidavit has to be signed by two independent witnesses alongwith attested copies of their Aadhar Card or Pan Card. (4) If the vehicle is financed, payment will be made in favour of the financier otherwise Original NOC is required from the Financier in the name of petitioner. Submit it to Claim Hub. (5) Bank details preferably cancelled cheque. Submit it to Claim Hub. (6) KYC form alongwith 2 photos. Submit to Claim Hub.”

3. At this stage, notice of motion only to the respondent No.1.

4. Mr. Suryaveer Surjewala, Advocate, waives service of notice on behalf of the respondent No.1.

5. There is no wrangle amongst the contesting litigants that, the requisite information can be furnished by the respondent No.1 and the R.C. of the vehicle in question can also be transferred in the name of the petitioner. Therefore, taking into account the consensus arrived at



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between the learned counsels appearing for the petitioner and for the respondent No.1, this Court deems it appropriate to direct the representatives of the petitioner and the respondent No.1 to cause appearance in the office of R.T.O. Baddi at Nalagarh on 17.02.2025 at the time mutually settled by them.

6. List on 26.03.2025”

3. Learned counsel for the petitioner, at the very outset informs this Court that the respondent No.1, has made the compliance to the directions (supra), issued by this Court, and the RC of the vehicle, in question, has now been transferred in the name of the petitioner, and all the formalities have been completed, and there is no legal impediment for the authorities concerned, to transfer the vehicle in question, in favour of the petitioner. Therefore, so far as the issue of transfer of the vehicle, in question is concerned, the same has now been settled. He finally submits that he is not agitating the claim on merits, rather his only concern is with regard to the interest @ 9% per annum, as awarded by the learned Permanent Lok Adalat concerned, on the awarded amount. He further submits that in case, the amount of interest @ 9% is reduced to 8%, in that eventuality, they would submit the entire awarded amount, along with interest @ 8% with the learned Permanent Lok Adalat concerned, within four weeks from today.

4. The prayer so made by the learned counsel for the petitioner, is not opposed by the learned counsel for the contesting respondent No.1.

5. In view of the above, the impugned award (supra), is hereby ordered to be modified, only to the extent that the petitioner is liable to pay Rs.26,24,375/-, along with the compensation amount to the tune of Rs.10,000/-, as mental harassment and Rs.5,000/-, as litigation expenses. The petitioner is also liable to pay the interest @ 8% per annum, on the awarded



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amount, from the date of filing the application, till its realization.

6. The rest of the award is ordered to be maintained, except the modification (supra). The petitioner is directed to comply with the undertaking given to this Court, within a period of four weeks from the date of receipt of certified copy of this order/judgment.

7. In case, the petitioner fails to deposit the said amount, within the stipulated period, the respondent No.1, would be entitled to get interest @ 9%, as awarded by the learned Permanent Lok Adalat concerned.

8. Consequently, the instant writ petition is **disposed of**.

(KULDEEP TIWARI)
JUDGE

March 26, 2025
Manpreet

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