



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

LPA-1764-2025

Date of Decision: 21.08.2025

MANN SINGH

...Appellant

Versus

UNITED INDIA INSURANCE COMPANY LIMITED AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Vijay Rana, Advocate and
Ms. Shreya Rana, Advocate, for the appellant.

HARSIMRAN SINGH SETHI, J. (ORAL)

1. In the present appeal, the challenge is to the order dated 18.02.2025 passed by the learned Single Judge, by which the Civil Writ Petition No.9298 of 2029, titled as *United Indian Insurance Company Limited and another vs. Mann Singh and another*, filed by the insurance company has been allowed.

2. Learned counsel appearing for the appellant argues that the denial of the benefit of compensation @ Rs.4,00,000/-, which benefit was extended by the Permanent Lok Adalat vide order dated 14.12.2018 (Annexure P-1), by the learned Single Judge is incorrect as nothing has come on record to show that the appellant ever manipulated caps of the filling pipes vehicle so as to claim the benefit of insurance. Learned counsel further argues that once, it has also come in the surveyor report that the some part of the body of the truck was damaged due to snow, the benefit of compensation should have been given to the insurer, rather declining the same and accepting the contention of the insurance company that the loss



has not occurred due to damage to tanker, but on account of opening of the caps of filling pipes, which fact has not been considered by the learned Single Judge.

3. We have heard learned counsel for the appellant and have gone through the record the case with his able assistance.

4. It may be noticed that the surveyor report, which has been made the basis of passing of the impugned order dated 18.02.2025 passed by the learned Single Judge, which has been mentioned at page 100 of the paper-book, clearly records that the seals clamp put by the Indian Oil Corporation while filling-up the kerosene in the vehicle were missing even in the filling caps as well as exhaust valves.

5. In case the story stated by the appellant is to be believed, the engine of the truck got seized, due to which the driver left the truck in order to get a mechanic to mend the same; even the attendant thereafter left the truck, but in the meanwhile due to heavy snowfall, the truck remained abandoned. From the said story, the natural consequence which follow is that even the seals put up by the Indian Oil Corporation so as to secure the kerosene oil would have remained intact. Once the same were found missing, the loss of kerosene oil cannot be attached to leakage due to damage in the vehicle but due to the missing valves, which could have happened due to 'n' number of reasons. Learned counsel for the appellant has not been able to explain the same.

6. Once the report of the surveyor has been accepted by the learned Single Judge and no evidence has been brought to the notice of this



Bench to contradict the said findings of the learned Single Judge, no ground is made out for any interference by this Bench in the well reasoned order passed by the learned Single Judge.

7. Accordingly, the instant appeal is dismissed.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

August 21, 2025
harish

Whether speaking/reasoned	Yes
Whether reportable	No