



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

FAO-5884-2018 (O&M)

Date of Decision:06.05.2025

**HARVINDER SINGH AND ANOTHER
Vs.**

...Appellants

SMT. NIRMAL KAUR AND OTHERS

...Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present: None for the appellants.

Mr. Paul S. Saini, Advocate
for respondent No.5-Insurance Company.

NIDHI GUPTA, J. (Oral)

The present appeal has been filed by the owner and Driver respectively of the truck bearing registration no. PB-13, AB-4108 ('offending vehicle'), against Award dated 06.03.2018, whereby claim petition of the respondents Nos.1 to 4 has been allowed and they have been awarded compensation of ₹9,80,000/-. The appellants are aggrieved of the said Award as the respondent no.5/Insurance Company has been awarded recovery rights against the appellants in respect of the said compensation.

The present appeal pertains to the year 2018 and notice has not yet been issued in the main appeal. Notice in the application for condonation of delay of 102 days in filing the appeal, was issued on 04.02.2019. However, the order sheets reveal that since then the matter has been adjourned either at the request of or due to non-appearance on behalf of the learned counsel for the appellants. Even today, none has appeared on behalf of the appellants. Clearly, therefore, neither the appellants nor their counsel



are seriously interested in pursuing the present appeal.

Even on the merits, no ground to interfere in the impugned Award is made out. Recovery rights were awarded against the appellants as on the date of accident i.e. 08.12.2012, the driver of the offending vehicle/appellant no.2 did not possess a valid driving license. In ordering recovery against the appellant, the learned Tribunal had sought a report from the concerned Licencing Authority, Hardoi UP; and it was found that the driving licence No. LA-2707-HDI-2011 issued on 17.11.1999 by the Licencing Authority, Hardoi, Uttar Pardesh, was valid from 04.06.2011 to 03.06.2014. Report was then sought from the DTO Hardoi, regarding the genuineness of the above said licence whereupon report dated 06.01.2018 (Ex-RB) was received verifying thereby that the driving licence Ex. R-1 was not issued by their office. Thus, it was found that the driver did not possess a driving license on the date of accident.

Nothing is on record to invalidate the said findings of the learned Tribunal.

The present appeal accordingly stands **dismissed**.

(NIDHI GUPTA)
JUDGE

06.05.2025

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