



CWP-25747-2025

-1-

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

(150)

CWP-25747-2025

Date of decision:- 01.09.2025

Salma and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms. Babita Gupta, Advocate
for the petitioners.

SUVIR SEHGAL, J. (ORAL)

1. By way of instant petition filed under Articles 226/227 of the Constitution of India, petitioners have approached this Court *inter-alia* for issuance of a writ, in the nature of certiorari, for setting aside impugned award dated 04.06.2025, Annexure P-5, passed by the Permanent Lok Adalat (Public Utility Services), Panchkula (for short “the Lok Adalat”).

2. Brief facts leading to the filing of the petition are that Chaman Lal purchased a motorcycle from an authorized agency on 27.05.2019, Annexure P-1, and got it insured from insurance company-respondent No.3. Insurance policy, Annexure P-2, was valid for a period of five years from 27.05.2019 to 26.05.2024. Respondent No.3 was also paid Rs.350/- as premium for Personal Accident Cover to the tune of Rs.15,00,000/-. On 09.07.2017, when Chaman Lal was driving back home on the motorcycle, he was knocked down by a



CWP-25747-2025

-2-

tipper coming from the opposite direction. An FIR bearing No.217 dated 10.07.2019 was registered at Police Station Chandimandir, Panchkula. Chaman Lal unfortunately lost his life in the incident. Petitioners, who are the legal heirs of the deceased, applied for payment of Rs.15,00,000/- on account of personal accident claim, but the insurance company kept the matter pending. Petitioners filed an application under Section 22-C of the Legal Services Authorities Act, 1987 before the Lok Adalat, which after contest, has been dismissed vide award impugned herein.

3. Counsel for the petitioners has contended that the Lok Adalat has erred in dismissing the application on the ground that the vehicle was never registered with the transport authority. It is her argument that the registration of the vehicle was not mandatory for getting the claim under the personal accident cover issued by the insurance company. She has placed reliance upon the judgments of this Court in FAO-77-2017 titled as “United India Insurance Company Limited Versus Jagbir Singh and others”, Law Finder Doc Id # 2056101 as well as in FAO-425-1995 titled as “Bijender Singh Versus Raj Kumar and others”, decided on 27.03.2025.

4. I have heard counsel for the petitioners and considered her submissions, besides examining the documents appended with the paper-book.

5. There is no dispute about the factual position. Chaman Lal was driving a motorcycle, which met with an accident resulting in his death. The vehicle did not bear any registration number nor did the deceased apply for its registration. Hon’ble Supreme Court in Narinder Singh Versus New India Assurance Company Ltd. and others, (2014) 9 SCC 324, has held that using a



CWP-25747-2025

-3-

vehicle on public road without any registration is not only an offence punishable under Section 192 of the Motor Vehicles Act, 1988, but also a fundamental breach of the terms and conditions of policy contract. A perusal of the petition shows that the petitioners have averred that the deceased could not get the vehicle registered as he fell ill immediately after its purchase and could not apply for a registration and later, Government ordered the closure of registration of BS-IV vehicles. All these facts are not of any help to the petitioners. The judgments relied upon by the petitioners are not applicable to the facts of the case in hand as they have been rendered in entirely different factual situations. Absence of registration of the vehicle has resulted in a breach of provisions of Motor Vehicles Act, 1988 as well as terms and conditions of the insurance policy. Claim has rightly been rejected by the Lok Adalat.

6. Finding no infirmity in the impugned award passed by the Lok Adalat, petition is dismissed, though with no order as to costs.

(SUVIR SEHGAL)
JUDGE

01.09.2025
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No