2026:PHHC:050141

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

143 **CWP-9593-2026**
Date of Decision: 01.04.2026

SURENDRA ...Petitioner

Vs.

THE NEW INDIA ASSURANCE COMPANY LTD AND ORS.
…Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Rajesh Bansal, Advocate for the petitioner

Mr. Ashwani Talwar, Sr. Advocate assisted by
Mr. Siddheshwar Hans, Advocate and
Mr. Deepak Goyat, Advocate
for respondents No.1 and 2-Insurance Company
***

<u>JAGMOHAN BANSAL, J. (ORAL)</u>

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking quashing of letters dated 22.01.2025 and 29.10.2025 whereby respondents contrary to award dated 30.09.2025 has repudiated his claim. He is further seeking direction to decide his complaint dated 11.12.2025 and pay him insurance claim along with interest @ 18% per annum.

2. The petitioner is owner of a commercial vehicle bearing Registration No. HR-69-C-0010. He got his vehicle insured from respondent-New India Assurance company Ltd (for short ‘Insurance Company’) for the period from 13.09.2020 to 12.09.2021. Total IDV was Rs.14,00,000/-. As per petitioner, he had a National Permit issued by RTA Sonipat valid till 14.09.2022. On 22.09.2020 his vehicle met with an

accident near Sarvodaya School, Imlota, Charkhi Dadri (Haryana) sustaining extensive damage. FIR No. 0254 dated 22.09.2020 was registered under sections 279/304A of IPC. He submitted a claim before Insurance Company. A surveyor was appointed who vide report dated 15.12.2020 assessed loss of Rs.3,10,263/-. The Insurance Company rejected his claim on two grounds namely (i) policy was issued as 'Private Carrier' whereas Registration Certificate showed 'Public Carrier' and (ii) petitioner has not transferred National Permit in his name after re-purchasing the vehicle on 30.07.2020. He filed a complaint before Insurance Ombudsman, Delhi who vide Award dated 30.09.2025 directed Insurance Company to obtain clarification from RTO, Sonipat regarding validity of Route Permit and settle the claim. His claim was again repudiated by the Insurance Company. The petitioner filed a second complaint before the Insurance Ombudsman on 11.12.2025 requesting payment with penalty along with complaint to Chairman, IRDAI on 24.12.2025. Inaction on part of the Company persuaded him to serve legal notice dated 11.02.2026 but to no avail.

3. Learned counsel for the respondent No.1 and 2 submits that they have no objection if Insurance Ombudsman-respondent No.3 is directed to decide petitioner's claim in a time-bound manner.

4. In the wake of statement of respondent No.1 and 2, the petition stands disposed of with direction to Insurance Ombudsman-respondent No.3 to pass an appropriate order on petitioner's complaint within six weeks from today.

5. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

April 01, 2026
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No