



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

FAO-2305-2015 (O&M)

JAGDEV SINGH AND ANR.

.....Appellants

Vs.

SHRIRAM GENERAL INSURANCE CO. LTD. AND ORS.

.....Respondents

Reserved on : 07.04.2026
Pronounced on: 08.04.2026
Uploaded on: 08.04.2026

Whether only the operative part of the judgment is pronounced? NO
Whether full judgment is pronounced? YES

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. R.S. Manhas, Advocate
for the appellants.

Mr. Punit Jain, Advocate
for respondents No.1-Insurance Company.

None for respondents No.2 to 6.

SUDEEPTI SHARMA J.

1. The present appeal has been preferred against award dated 08.01.2015 passed by Motor Accident Claims Tribunal, Ludhiana (in short 'Tribunal'), whereby, claim petition filed under Section 166 of the Motor Vehicles Act, 1988 was allowed and the appellants (driver and owner of the offending vehicle) were held liable to pay compensation.



2. Learned counsel appearing on behalf of the appellants contends that the learned Tribunal erred in granting recovery rights to respondent No.1–insurance company solely on the ground that the driver of the offending vehicle was holding driving licence issued by a foreign country. He further contends that an application for additional evidence (CM No.7174-CII of 2015) has been filed, whereby the appellants seek to place on record driving licence issued by the Indian authorities along with its verification report (Annexures A-1 and A-2). The said documents, according to the appellants, would demonstrate that the driver was duly holding a valid and effective driving licence on the date of the accident. He, therefore, prays that the present appeal be allowed and respondent No.1-Insurance Company be held liable to pay compensation.

3. Per contra, learned counsel for the respondent No.1–insurance company opposes the application and submits that the authenticity and veracity of the licence (Annexure A-1 and A-2) cannot be verified at the appellate stage. He, therefore, prays that the present appeal be dismissed.

4. I have heard learned counsel for the parties and perused the whole record of this case with their able assistance.

5. Upon due consideration, this Court is of the opinion that the issue as to whether the driver of the offending vehicle was holding a valid and effective driving licence at the time of the accident goes to the root of the matter, particularly in the context of fastening liability and the grant of recovery rights to the insurer. The additional documents sought to be produced by the appellants, if proved in accordance with law, may have a material bearing on the adjudication of this issue.



6. In such circumstances, this Court deems it appropriate, in the interest of justice, to afford an opportunity to both parties to lead evidence on this aspect. Since the Tribunal has not had the occasion to examine the said documents or adjudicate upon their authenticity, the matter warrants reconsideration at the level of the Tribunal.

7. Accordingly, the impugned award is set aside to the limited extent of the issue relating to the validity of the driving licence of the driver of the offending vehicle and the consequential grant of recovery rights to the insurance company. The matter is remanded to the learned Tribunal for fresh adjudication on the said issue after permitting both parties to adduce evidence, including examination-in-chief and cross-examination, in accordance with law.

8. Having regard to the fact that the claim petition pertains to an accident of the year 2013, learned Tribunal is directed to make endeavour to decide the matter expeditiously, preferably within a period of four months from the date of appearance of the parties.

9. The parties are directed to appear before the learned Tribunal on 28.04.2026.

10. The appeal stands disposed of in the above terms.

11. Pending application(s), if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

08.04.2026

Ayub/Saahil

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No