

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.2005 of 1995

Date of Decision. 31.08.2010

United India Insurance Co. Ltd., through Assistant Manager, Regional
Office, Sector-8, Chandigarh

.....Appellant

Versus

Smt. Malti Devi widow and others

.....Respondents

Present: Mr. Neeraj Khanna, Advocate
for the appellant.

Mr. S.K. Chauhan, Advocate for
Mr. R.M. Singh, Advocate
for respondent No.6.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J.(ORAL)

1. The effect of a valid renewal of a fake licence was the point in issue among other grounds and the Tribunal took it as a point of law that the renewal was genuine even if the licence was fake. This conflicts with law settled by the Hon'ble Supreme Court in **United India Insurance Company Limited Vs. Divinder Singh (2007) 8 SCC 698.** The insurance company could not be made liable, for what it had proved before the Tribunal that the licence was fake by examining the Licensing Authority, Solan.

2. The award of the Tribunal will, therefore, stand modified and the appeal by the insurance company is allowed to the extent of

making it liable only to satisfy the claim of the claimants and to recover the same against the insured-owner.

(K. KANNAN)
JUDGE

August 31, 2010
Pankaj*