
(2003) 05 NCDRC CK 0069

In the National Consumer Disputes Redressal Commission

Oriental Insurance Co. Ltd.

APPELLANT

Vs

Rajiv Sharma

RESPONDENT

Date of Decision : 29-05-2003

Acts Referred:

Citation : 2003 3 CPJ 109 : 2004 1 CPR 255

Hon'ble Judges : K.D.Shahi , Surendra Kumar J.

Final Decision : Appeal dismissed

Judgement

1. THIS appeal has been filed against the order dated 24.2.1994 passed by the District Forum, Hardwar where the claim was allowed for a compensation of Rs. 90,000/- for the theft of his vehicle and a compensation of Rs. 1,000/-.

2. THE brief facts of the case are that the complainant has purchased a Taxi UMT 7602 in 1987. It was insured on 26.6.1988. It was stolen. Information was given to the Company but it repudiated the claim on the ground that no policy was issued in respect of Car No. UMT 7602, but it was issued in respect of Car No. U.G.A. 9464. Since the claim was repudiated, the claim petition was filed. It is conceded fact that Car No. UMT 7602 is the same car as U.G.A. 9464. What was insured was the vehicle and not the registered number.

After the appeal, the learned Counsel for the Insurance Company argued that the Company contested only for quantum and at least, some deduction should have been made on the user of the car. No evidence has been given what was the actual price on the date of the theft. It was insured for Rs. 90,000/-. There was nothing to show why it should be less than the insured amount. Therefore, there is no question of any deduction in the price. The Surveyor of the Insurance Company has also reported that the price of the vehicle was about Rs. 1,00,000/-. The compensation of Rs. 90,000/- cannot be said to be excessive. There is no force in this appeal and the appeal is liable to be dismissed. ORDER The appeal is hereby dismissed. However, in the circumstances of the case, cost of the appeal shall be easy. Appeal dismissed.