

(1997) 01 NCDRC CK 0053

In the National Consumer Disputes Redressal Commission

United India Insurance Company Ltd.

APPELLANT

Vs

RAMNIK SINGH GILL

RESPONDENT

Date of Decision : 17-01-1997

Acts Referred:

Citation : 1997 1 CLT 694 : 1997 1 CPJ 429 : 1997 1 CPR 525

Hon'ble Judges : J.B.Garg , Sada Nand , P.Ojha J.

Final Decision : Appeal dismissed

Judgement

1. ON a complaint made by Ramnik Singh Gill pertaining to loss suffered by his Maruti Van which he was utilizing as a Taxi under a duly authorised permit bearing Registration No. PNZ-283 since May, 1989. A sum of Rs. 38,812/- and toeing charges Rs. 975/- have been awarded by the District Forum Chandigarh against the United India Insurance Co. on 13.2.96. Aggrieved against it the present appeal has been attempted.

2. THE fact that Maruti Van No. PNZ-283 was involved in a road accident on 26.12.91 and that the loss was assessed at Rs. 38,812/- by the Surveyor as against the sum of Rs. 55,175/- claimed in the original complaint is no longer in dispute. The only plea raised here is that the vehicle was being driven by Jaswinder Singh who did not possess a licence for driving a Taxi. It is not disputed that Jaswinder Singh did possess a licence for driving a motor car or say even a Maruti Van. The vehicle in question PNZ-283 was a Maruti Van and it was registered as a tourist taxi w.e.f. 5.5.89. A perusal of the driving licence shows that it was valid for light motor vehicle and in Gurmukhi the words "only for scooter/car" find mention. A perusal of a copy of the licence relied upon and referred to on behalf of the appellant did not render, the appellant ineligible for driving a Maruti Van. There appeared to be no bar for Jaswinder Singh who held a licence for driving a Motor Car notwithstanding that it was registered as a taxi. At the time of occurrence there was no passenger in the vehicle. Considering all the facts there appears to be no good ground for interference. The appeal is hereby dismissed and the parties are left to bear their own costs.

Announced. The orders be communicated to the parties free of charges. Appeal dismissed.