

ITEM NO.27

COURT NO.11

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 31945/2018

(Arising out of impugned final judgment and order dated 23-05-2018 in FAO No. 2586/2016 passed by the High Court Of Punjab & Haryana At Chandigarh)

THE NEW INDIA ASSURANCE CO. LTD.

PETITIONER

VERSUS

MOHINDER PAL SINGH & ANR.

RESPONDENTS

(IA No. 61894/2020 - EXEMPTION FROM FILING AFFIDAVIT)

Date : 09-04-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Mr. Amit Kumar Singh, AOR
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.

For Respondent(s)
Mr. Rishi Malhotra, AOR
Ms. K. Enatoli Sema, AOR

UPON hearing the counsel, the Court made the following
O R D E R

1. On the last date of hearing, learned counsel for the petitioner was permitted to implead the State of Nagaland as a co-respondent for verification of the driving licence of the driver of the offending vehicle by the State Transport Authority.

2. Pursuant to the aforesaid order, learned counsel for the State of Nagaland is present and states that she has filed an affidavit in compliance stating *inter alia* that the driving licence of the driver of the vehicle in question was valid as on the date when the accident had taken place, i.e., on 19th February, 2015.

3. In view of the above submission, the present petition filed by the Insurance Company on the plea that the driving licence of the respondent no.3 - driver of the offending truck was fake, is not sustainable. The facts show otherwise as per the affidavit filed by the State of Nagaland.

4. The present Petition for Special Leave to Appeal is accordingly dismissed as meritless. Pending application is disposed of.

(POOJA SHARMA)
COURT MASTER (SH)

(NAND KISHOR)
COURT MASTER (NSH)