

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 3271 OF 2003

NATIONAL INSURANCE CO. LTD. Appellant (s)

VERSUS

MOTI RAM DEWAN & ANR. Respondent(s)

(With office report)

Date: 21/07/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE R.M. LODHA

For Appellant(s)

Mr. Farrukh Rasheed, Adv.
Mr. M. Paikray, Adv.
Mr. Ashok Kumar Gupta, Adv.

For Respondent(s)

Mrs.K. Sarada Devi, Adv.
Rr-Ex-Parte , Adv

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

The Appeal is dismissed in terms of the signed order.

(V.K. Tiwari) (R.K. Sharma)
P.A. Court Master
(Signed Order is placed on the file)
SUPREME COURT OF INDIA
(CIVIL APPELLATE JURISDICTION)

CIVIL APPEAL NO. 3271 OF 2003

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O R D E R

Heard learned counsel for the appellant and counsel appearing on behalf of respondent No. 2, the owner of the motorcycle that caused the accident.

On behalf of the appellant, it is submitted that the driver of the motor cycle did not have a valid driving license and that his driving license was for light motor vehicles and not for

motor cycle. We have verified the submission from the copy of the driver's license which is on the record and we find that the objection raised by the appellant is not without substance.

We, however, find that the claimant was awarded the small sum of rupees fifty seven thousand and one hundred (Rs.57,100.00) only as compensation. The claimant is not represented before us but we are informed that the full amount of compensation has already been paid by the appellant, the Insurance Company to the claimants. We, therefore, see no reason to interfere with the orders of the Tribunal and the High Court.

The Appeal is dismissed leaving, however, the question of law open.

.....J
(AFTAB ALAM)

.....J
(R.M. LODHA)

New Delhi;

Dated: July 21, 2010.