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2025:PHHC:048924



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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of decision : 08.04.2025

FAO-2443-1994

THE ORIENTAL INSURANCE CO. LTD.Appellant

Versus

BRIMATI AND ORS ...Respondents

FAO-2444-1994

THE ORIENTAL INSURANCE CO. LTD.Appellant

Versus

RAM PYARI AND ORS ...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Ravinder Arora, Advocate for the appellant.

PANKAJ JAIN, J. (ORAL)

Present two appeals are directed against award passed by the
MACT, Narnaul, dated 21.05.1994

2. The only plea raised relates to legality of the driving licence
possessed by the driver Mahabir.

3. Counsel for the appellant submits that the legality of the licence
is under cloud as the original record was destroyed and the same could not
be produced to prove the licence.



4. Having gone through records of the case, this Court finds that the plea raised is without substance. Reference can be made to the findings recorded by the Tribunal in Para No.18 of the impugned award, which reads as under:

“18. The counsel for respondents No.1, and 2, in order to prove the driving licence Ex.RW3/A, had examined Jagdish Rawat, Licence Clerk, Licencing Authority Mathura, as RW3. He had stated that driving licence Ex.RW3/A, had been issued on 30.1.1985 and that it had been re-validated on 29.10.1993 upto 28.10.1996 vide order dated 29.10.1993; that the previous register of 1985, he had not brought on the ground that it had been destroyed, but an office copy of the same can be made available provided strenuous efforts are made and as such the case was adjourned till the next date, on which date, RW3 Shri Jagdish Rawat, had produced the photostat copy of the driving licence of Mahabir; that he had also brought the old original driving licence issued by the Licencing Authority, Mathura. The same was valid from 30.1.1985 to 29.1.1988. Examined further RW3 Jagdish Rawat had stated that lateron Mahavir respondent had filed an application on 29.10.1993 for its renewal, and on the basis of which, his driving licence had been renewed upto 28.10.1996; that in the old driving licence, there is another renewal entry from 30.1.1988 to 29.1.1991; that in his opinion, there is no over-writing on the old driving licence and that the record of old driving licence had since been destroyed.”

5. Thus, it is evident that the driver fully proved the validity of the driving licence by examining Jagdish Rawat, Licence Clerk, Licencing Authority Mathura as RW3. His cross examination was deferred for production of the original record. The same was also produced. The



suggestion was put to him w.r.t. overwriting *qua* renewal entry from 30.01.1988 to 29.01.1991. The same was denied by him.

6. In view thereof, once competent witness was examined from the office of the Public Authority, who proved validity of licence, this Court does not find any reason to interfere in the well reasoned award passed by the Tribunal. Resultantly, the instant appeals are ordered to be dismissed.

7. A copy of this order be kept on the file of other connected case.

April 08, 2025

(Pankaj Jain)

Dpr

Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No