

Insurance co. allowed to recover relief amount

STAFF REPORTER

NEW DELHI

A Motor Accident Claims Tribunal has allowed the Reliance General Insurance Company to recover a compensation amount of ₹6.62 lakh from the owner of the offending vehicle in a road accident case.

The Tribunal stated: “The insurance company has proved on record wilful breach of insurance policy by the owner of the offending vehicle with respect to the condition of the permit.”

“The firm will be entitled to recover the amount of compensation from the owner of the offending vehicle by filing an execution petition... without having recourse to an independent civil proceedings,” presiding officer (PO) of the tribunal Santosh Snehi Maan said in her order at the Tis Hazari courts.

The firm had alleged that the offending vehicle did not have a valid transport permit at the time of the accident.

Conductor killed

The Tribunal had awarded the compensation to the parents of a truck conductor, who had died in an accident on NH-8 in Gurugram in 2014. As per the claim petition filed by the parents of the deceased, the victim was working in a transport company in Delhi.

On the day the accident occurred, the driver of the truck parked the vehicle on the side of the road due to breakdown. Both driver and conductor had gotten down to fix the vehicle when another truck hit it from behind, killing the conductor on the spot.

Holding the driver of the offending vehicle guilty of rash and negligent driving, the Tribunal awarded the compensation. “The evidence shows that the accident was caused due to rash and negligent driving by the driver of the offending vehicle,” the PO said.

The firm had argued that the liability to pay the compensation, therefore, lay with the owner of the offending vehicle.