

KUMAR OMKAR S/O. SOMANATH BASHETTI v. P.B. IBRAHIM, 2024 PLRonline 0006 (Kar.) , (2024-2)214 PLR 170 (Kar.) (SN) , [#ID 425761]

Motor Vehicles Act, 1988 (IV of 1988) Section 10(2)(j) and 173(1) - Central Motor Vehicle Rules, 1989 Rule 2(cab) - Driving licence - Bulldozer - Licence to drive a light motor vehicle if its unladen weight is less than 7,500 kgs - Can drive a bulldozer (construction equipment vehicle) - A person authorised to drive light motor vehicle can drive any type of motor vehicle, unladen weight of which is less than 7,500 kgs. Respondent - insurer did not lead evidence to show that unladen weight of bulldozer was more than 7,500 kgs - Driver/operator of bulldozer had licence to drive light motor vehicle - A person holding driving licence of a category, can drive different types of the motor vehicles of that category - Construction equipment vehicle is treated as non transport vehicle - Held, driver had valid licence to drive bulldozer

(ii) Motor Vehicles Act, 1988 (IV of 1988) Section 173(1) - Insurer cannot deny liability on technical grounds regarding driver licenses since the Motor Vehicles Act's compensation provision is a benevolent legislation.

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