

Insurance - Surveyor's report - Court decided to not place reliance on the surveyor's report conducted by M/s Truth Labs, for lack of sufficient analysis - Court unequivocally declared that the precise cause of a fire, whether attributed to a short-circuit or any alternative factor, remains immaterial, provided the claimant is not the instigator of the fire - This case underscored the fundamental principle that an insurance company's obligation to the insured is of much greater import.

Held "In any event, neither in the report of M/s Truth Labs nor in the other reports by the Insurance Company is there anything to show that the insured had set the cold store on fire. Whether the fire took place by a short circuit or any other reason, as long as insured is not the person who caused the fire, the Insurance Company cannot escape its liability in terms of the insurance policy. We reject the contention of the Insurance Company that the fire was ignited by the use of kerosene and hence it is not liable." ***Canara Bank v. United India Insurance Co. Ltd. (2020) 3 SCC 455***