

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 8780/2018

Surendra Sharma

-----Petitioner

Versus

Oriental Insurance Company Ltd And Anr

-----Respondent

For Petitioner(s) : Dr. Saugath Roy.

For Respondent(s) : Mr. Pradeep Singh.

HON'BLE MR. JUSTICE MUNNURI LAXMAN

Order

29/04/2026

The learned counsel appearing for the petitioner submits that the issue raised in the present writ petition is squarely covered by the judgment of the Supreme Court in the case of ***State of Karnataka CBI, ACB Bangalore Vs. K.T. Uthappa (Criminal Appeal Nos. 1872 & 1873 of 2014, decided on 03.11.2015)***.

The learned counsel appearing for the respondents submits that the said judgment does not cover the facts of the present case and the observations made by the Supreme Court in the said judgment was *obiter dictum* and the same is not binding upon this Court. In support of this contention, he relied upon the judgment of the Madras High Court in the case of ***Chairman-cum-Managing Director, United Insurance Co. Ltd. Vs. K. Rajendra Kumar*** reported in **(2022) 4 CTC 401**.

In view of the above statement of the learned counsel appearing for the respondents, the matter requires hearing.

List the matter on **08.05.2026**.

(MUNNURI LAXMAN),J