

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).2037/2007

(From the judgement and order dated 26/07/2006 in FAO No. 678/1990 of
The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

UNITED INDIA INSURANCE CO. LTD.

Petitioner(s)

VERSUS

SITA RANI & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 22/02/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Petitioner(s) Mr.A.K.De,Adv.
Mr. Ashok K. Mahajan,Adv.
Mr.Sanjay Chetry,Adv.
Mr.V.P.Tripathi, Adv.

For Respondent(s) Mr. P.N. Puri,Adv.
Mr.Dhiraj, Adv.
Ms.Reeta Dewan Puri, Adv.

Mr. H.K. Puri ,Adv
Mr.S.K.Puri, Adv.
Mr.V.M. Chauhan,Adv.
Mrs. Priya Puri,Adv.

UPON hearing counsel the Court made the following

ORDER

The limited liability of the insurer in this case in view of the amendment carried out in the Motor Vehicles Act 1939 by the Motor Vehicles(Amendment) Act, 1982 is Rs.1,50,000/-. The High Court, however, interfered with the quantum of the compensation paid to the claimants from RS. 2,16,000/- to Rs. 3,75,000/-. Keeping in view the fact that the vehicle in question met with an accident as far back as on 27.12.1987, we are of the opinion that in a case of this nature interest of justice shall be met if the Insurance company-petitioner before us is directed to make the payment to the claimants

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and recover the balance amount from the owner of the vehicle. For the said purpose, it would not be necessary for the Insurance Company-petitioner to initiate fresh execution proceedings before the Tribunal.

The special leave petition is disposed of with the aforementioned observations.

[Meenu Sethi]
Court Master

[Pushap Lata Bhardwaj]
Court Master