

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).5841/2007

(From the judgement and order dated 05/09/2006 in CMA No. 1181/1999 of the  
HIGH COURT OF MADRAS)

MANAGER, ORIENTAL INSURANCE CO.LTD.

Petitioner(s)

VERSUS

CHANDRA AND ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP and prayer for interim relief and office  
report ))

Date: 30/10/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA  
HON'BLE MR. JUSTICE H.S. BEDI

For Petitioner(s)

Mr. A.K. Raina,Adv.  
Mr. Anil Kumar Jha,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
ORDER

Delay condoned.  
Leave granted.

The impugned judgment is set aside and the appeal is allowed  
in terms of the signed order. As the respondents have not appeared,  
there shall be no order as to costs.

(A.S. BISHT)  
COURT MASTER

(PUSHAP LATA BHARDWAJ)  
COURT MASTER

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5052 OF 2007  
(Arising out of SLP(C) No.5841/2007)

MANAGER, ORIENTAL INDURANCE CO. LTD.

..... APPELLANT(S)

:VERSUS:

CHANDRA AND ORS.

..... RESPONDENT(S)

ORDER

Delay condoned.

Leave granted.

This case is covered by a decision of this Court in National Insurance Co. Ltd. vs. Bommithi Subbhayamma and Ors., [2005 (12) SCC 243]. In this view of the matter, the impugned judgment is set aside and the appeal is allowed.

We, however, make it clear that the claimants-respondents would be entitled to recover the amount of compensation granted in their favour by the Motor Accident Claims Tribunal from the owner of the vehicle.

As the respondents have not appeared, there shall be no order as to costs.

.....J  
(S.B. SINHA)

.....J  
(H.S. BEDI)

NEW DELHI,  
OCTOBER 30, 2007.