

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).2434/2006

(From the final judgement and order dated 23/11/2005 in FAFO No. 2751/2005 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

THE ORIENTAL INSURANCE CO. LTD.

Petitioner(s)

VERSUS

SACHIN KUMAR AGRAWAL & ANR.

Respondent(s)

(With appln(s) for impleadment and prayer for interim relief and office report)

Date: 25/09/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)

Dr. Manish Singhvi, Adv.

Mr. P.V. Yogeswaran, Adv.

For Respondent(s)

Mr. S.K. Sinha, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The application for impleadment is allowed.

The appeal is allowed in terms of the signed order.

(Sukhbir Paul Kaur)

(Vijay Dhawan)

Court Master

Court Master

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4255 OF 2006

(Arising out of SLP(C)No.2434 of 2006)

The Oriental Insurance Co.Ltd.

...Appellant(s)

Versus

Sachin Kumar Agrawal & Anr.

...Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

The application for impleadment is allowed.

The grievance of the appellant before us is that its appeal before the Hig

Court was summarily dismissed with an observation that the appeal had no force. No

reasons, however brief, have been recorded by the High Court to support the

conclusion reached by it. It is well settled by a catena of decisions of this Court that

even if the Court has power to dismiss an appeal summarily, the Court while

summarily dismissing an appeal must record its reasons, however brief they may be, to support the conclusion reached by it that the appeal has no merit. That has not been done in the instant case.

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Without expressing any opinion on the merit of the claim of the appellant,

we allow this appeal and remit the matter to the High Court for disposal of the appeal in accordance with law.

.....J.

(B.P.SI

NGH)

.....

.....J.

(ALTAMAS KA

BIR)

New Delhi,

September 25, 2006.