

SLP(C)No. 9961-9962 OF 2002  
ITEM No.4

Court No. 4

SECTION IVA

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

IA Nos.3-4 In

Petition(s) for Special Leave to Appeal (Civil) No.9961-9962/2002  
(From the impugned judgment and order dt. 19.10.01 In MFA 5566/99,  
690/00with CRO 23/00of the HIGH COURT OF KARNATAKA AT BANGALORE)

NEW INDIA ASSURANCE CO. LTD.

Petitioner (s)

VERSUS

SUMA & ANR.

Respondent (s)

( With Appln(s). for clarification of Court's order dt. 23.1.04)

Date : 12/07/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL  
HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s) Ms. Kiran Suri,Adv.

For Respondent (s) Mr. M.C.Bhandare,Sr.Adv.

Mr. Mohan V.Katarki,Adv.

Mr. Javed M.Rao,Adv.

Mr. Ashok Kumar Sharma,Adv.

Mr. Ravivarma Kumar,Sr.Adv.

Mr. B.K.Chaudhary,Adv.

Mr. E.C. Vidya Sagar,Adv.

UPON hearing counsel the Court made the following

O R D E R

The order dated 23.1.2004 is clarified by making it clear that the amount be recovered by the Insurance Company against the insured subject to the decision in Insurance Company vs. Swaran Singh and Others (reported in 2004 (1) SCALE 180 at 209).

I.As. Are disposed of.

[SUMAN WADHWA][MADHU SAXENA)  
COURT MASTER COURT MASTER