

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 1730 OF 1999

L.I.C. OF INDIA

Appellant (s)

VERSUS

SUNITA & ORS

Respondent(s)

(With office report )

Date: 15/12/2004 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE H.K. SEMA

For Appellant(s)

Mr. A.V. Rangam,Adv.

Mr. A Ranganadhan, Adv.

Mr. Buddy A Ranganadhan, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

t

The appeal is allowed, impugned order passed by the High Cour

and the award of the Tribunal is modified to this extent that the owner as well as the Insurance Company are jointly and severally liable to pay the amount of compensation. No costs.

[ Charanjeet Kaur ]

Court Master

[ Om Prakash ]

Court Master

[ Signed order is placed on the file ]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1730 OF 1999

LIC of India	..	Appellant(s)
Versus		
Sunita & Ors.	..	Respondent(s)

O R D E R

Heard learned counsel for the appellant.

A claim case was filed before the Motor Accident Claims Tribunal [for short, "the Tribunal"] by the claimant in which it has been directed that only the owner was liable to pay the amount of compensation and not the Insurance Company. Thereafter, an appeal was taken to the High Court which having been dismissed, the present appeal by special leave.

The point raised in this appeal is concluded by a decision of 3-Judge Bench of this Court in the case of National Insurance Co. Ltd. vs. Swaran Singh & Ors. - 2004 (3) SCC 297 in favour of the appellant.

Accordingly, the appeal is allowed, impugned order passed by the High Court and the award of the Tribunal is modified to this extent that the owner as well as the Insurance Company are jointly and severally liable to pay the amount of compensation.

No

costs.

AGRAWAL ]

.....J[ B.N.

.K. SEMA ]

.....J [ H

NEW DELHI ,

DECEMBER 15, 2004.