

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).822/2009

(From the judgement and order dated 04/08/2008 in MFA No.5394/2007
of The HIGH COURT OF KARNATAKA AT BANGALORE)

NATIONAL INSURANCE CO.LTD.
VERSUS

Petitioner(s)

KULLAPPA & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 27/01/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE TARUN CHATTERJEE
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s)

Mr. Kishore Rawat, Adv.
Mr. M.K. Dua, Adv.
Mr. Dhiraj, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

ORDER

Issue notice.

Tag with SLP(C)No.8005/2006.

There shall be an order of stay of operation of the impugned judgment of the High Court initially for a period of three months from this date unconditionally and if within this period, the petitioner deposits the entire awarded amount in the Motor Accident Claims Tribunal, Bangalore City, the interim order shall continue until further orders of this Court. However, in default of deposit, as directed hereinabove, within the aforesaid period, the interim order as granted shall automatically stand vacated. If the amount is deposited in the manner indicated above, the respondent shall be entitled to withdraw 50% of the same without furnishing any

contd...2/-

SLP(C)NO.822/09 contd...

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security and without prejudice to their rights and contentions in the present Special Leave Petition. The rest of the amount, so deposited, shall be invested in a short term Fixed Deposit in any nationalised bank by the Motor Accident Claims Tribunal, Bangalore City and shall be renewed from time to time until further orders of this Court.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master