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SLP(C)No. 12244-12251 OF 2000
ITEM No.18

Court No. 6

SECTION XV
A/N MATTER

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.12244-12251/2000
(From the judgement and order dated 13/03/2000 in SBCMA 445/96 to
452/1996 of the HIGH COURT OF RAJASTHAN AT JAIPUR)

NATIONAL INSURANCE CO. LTD.

Petitioner (s)

VERSUS

JAGANNATH & ORS.
(With prayer for interim relief)
With office report

Respondent (s)

With
SLP(C)No.1195/2001,SLP(C)No.3425-3428/2001(with appln.(s) for bringing
LRs on record of deceased respondent No.2 and c/delay in filing
substitution appln. and with prayer for interim relief and office
report), SLP(C)No.6281/2001 and SLP(C)No.18810-18812/2000(with prayer
for interim relief and office report)

Date : 03/03/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE B.P. SINGH

For Petitioner (s)

Mr. B.K.Satija,Adv.

For Respondent (s)

Mr. Shakeel Ahmed,Adv.

Mrs. Nanita Sharma, Adv.
Mr. Vivek Sharma, Adv.

Mr. P.R. Ramasesh, Adv.

UPON hearing counsel the Court made the following
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SLP(C)Nos.12244-12251/2000, 18810-18812/2000 and 6281/2000@@
CC

Heard learned counsel for the parties.
Leave granted.

The High Court by the impugned judgment dismissed the
appeals of the appellants herein following the judgment of
this Court in the case of New India Assurance Company v.
...2/-

: 2 :

Satpal Singh & Ors. [2000 (1) SCC 237]. The said judgment of
this Court has since been overruled by a 7-Judge Bench
judgment in the case of New India Assurance Co. Ltd. vs.
Asha Rani & Ors. [2002 (9) Scale 172], therefore, these
appeals have to be allowed accordingly the judgment under

appeals is set aside. We remand these appeals back to the High Court to dispose of the same in accordance with the judgment of this Court in the case of New India Assurance Co. Ltd. vs. Asha Rani & Ors.

The appeals are allowed.

SLP(C)Nos.1195/2001 & 3425-3428/2001@@

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Issue notice in the substitution applications. Notice shall also indicate that the impugned judgment will have to be set aside and the matters be remanded back to the High Court in view of the latest judgment in the case of New India Assurance Co. Ltd. vs. Asha Rani & Ors. [2002 (9) Scale 172]. Therefore, if proposed respondents want to contest the matters, before the High Court they need not appear.

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(Pawan Kumar)
Court Master

(Prem Prakash)
Court Master

(signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2003@@
EE
(Arising out of SLP(C) Nos.12244-12251/2000)

NATIONAL INSURANCE CO. LTD. ..Appellant

Vs.

JAGANNATH & ORS. ..Respondents

With SLP(C) Nos.18810-18812/2000 & 6281/2001.

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Heard learned counsel for the parties.
Leave granted.

The High Court by the impugned judgment dismissed the appeals of the appellants herein following the judgment of this Court in the case of New India Assurance Company v. Satpal Singh & Ors. [2000 (1) SCC 237]. The said judgment of this Court has since been overruled by a 7-Judge Bench judgment in the case of New India Assurance Co. Ltd. vs. Asha Rani & Ors. [2002 (9) Scale 172], therefore, these appeals have to be allowed accordingly the judgment under appeals is set aside. We remand these appeals back to the High Court to dispose of the same in accordance with the judgment of this Court in the case of New India Assurance Co. Ltd. vs. Asha Rani & Ors.

The appeals are allowed.

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.....J.
(N. SANTOSH HEGDE)

New Delhi,

.....J.
(B.P. SINGH)

March 3, 2003.