

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

I.A. No. 3 in  
Petition(s) for Special Leave to Appeal (Civil) No(s).15531/2006

(From the judgement and order dated 12/08/2005 in FAO No. 255/1998  
of the HIGH COURT OF H.P. AT SHIMLA)

KAMLESH KUMAR Petitioner(s)

VERSUS

NEW INDIA ASSURANCE CO. & ORS. Respondent(s)

(For clarification of court's order and office report)

Date: 22/08/2008 This Petition was called on for hearing today.

CORAM :  
HON'BLE MR. JUSTICE S.B. SINHA  
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. Anil Nag,Adv.

For Respondent(s) Dr. Meera Agarwal,Adv.

UPON hearing counsel the Court made the following  
ORDER

A typographical error has crept in in the order dated  
26.2.2008 in so far as dismissal of the special leave petition is  
concerned. The order dated 26.2.2008 is recalled.  
Leave granted.  
The appeal is allowed in terms of the signed order.

(A.S. BISHT)  
COURT MASTER

(PUSHAP LATA BHARDWAJ)  
COURT MASTER

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

I.A. No. 3  
in  
CIVIL APPEAL NO. OF 2008  
[Arising out of SLP(C) No. 15531/2006]

KAMLESH KUMAR ... APPELLANT(S)  
:VERSUS:  
NEW INDIA ASSURANCE CO. AND ORS. ... RESPONDENT(S)

ORDER

A typographical error has crept in in the order dated 26.2.2008 in so far as dismissal of the special leave petition is concerned. The order dated 26.2.2008 is recalled.

This matter is squarely covered by a decision of this Court in National Insurance Company Ltd. vs. Annappa Irappa Nesaria & Ors., [2008 (1) SCALE 642].

Leave granted and the appeal is allowed accordingly.

.....J  
(S.B. SINHA)

.....J  
(CYRIAC JOSEPH)

NEW DELHI,  
AUGUST 22, 2008.