

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).11658/2005

(From the judgement and order dated 16/11/2004 in FAO No. 141/2003 of The
HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

U.T. ADMN. CHANDIGARH & ANR.

Petitioner(s)

VERSUS

SANDEEP KUMAR & ANR.

Respondent(s)

(With prayer for interim relief and office report)

Date: 06/09/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s) Mr. Saurav Datta,Adv.
Ms. Kamini Jaiswal,Adv.

For Respondent(s)
Mr. Subhash Sharma,Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted. The appeal is disposed of in terms of the signed
order. No costs.

(Ganga Thakur)
PS to Registrar
Signed order is placed on the file.

(Vijay Aggarwal)
Court Master

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO..... OF 2007
(Arising out of SLP(C) No. 11658/05)

U.T. ADMN. CHANDIGARH & ANR.

...PETITIONER(S)

Versus

ORDER

Heard learned counsel for the parties.

Leave granted.

The challenge in this appeal is to the order which is essentially is an interim in nature, passed by a Division Bench of the Punjab & Haryana High Court. By the said impugned order, while admitting the appeal (No. 141/03), the High Court directed that the entire amount awarded shall be deposited with the Tribunal within three months from the date of the order and the same shall be paid to the claimant on furnishing adequate security to the satisfaction of the Tribunal. The primary stand of the appellant is that the claimants are not entitled to any amount. Without expressing any opinion on the merits of the case, we direct that the appeal which has been admitted, be disposed of as expeditiously as practicable.

Considering the fact that it relates to the claims under Motor Vehicle Act, 1988, by order dated 10th May,2005, it was directed that 50% of the amount awarded be deposited within six weeks but no withdrawal shall be permitted. In case the deposit has already been made as directed, it is for the High Court to stipulate conditions for withdrawal of the amount. It is to be noted that stand of the appellant is that claimants are not entitled to the amount awarded or any part thereof.

The appeal is accordingly disposed of. No costs.

.....J.
(Dr.ARIJIT PASAYAT)

.....j.
(P. SATHASIVAM)