

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

Petition(s) for Special Leave to Appeal (Civil) No.13877/1999

(From the judgement and order dated 22/10/1997 in FAO 453/97
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

JAI SINGH

Petitioner (s)

VERSUS

SAILINDER & ANR.

Respondent (s)

(With prayer for interim relief)
(With Appln(s). for c/delay in filing SLP)
(With office report)

Date : 17/11/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. Aditya Kumar Chaudhary,adv.for
Mr. Ugra Shankar Pd.,Adv.

For Respondent (s)
No.1 Ms. Abha R. Sharma,Adv.

For R.2 Mr. Mukul Rohtagi,ASG.
Mr. Rajiv Nanda,adv.
Mr. A.S.Rawat,adv.
Ms. Binu Tamta,adv.for
Mr. Balram Das,adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....T.J
.SP2

Leave granted.
Appeal is disposed of.

.SP1
(Suman Wadhwa) (H.K.Bhatia)
PA to Addl.Regr. Court Master

Signed order is placed on the file.

.PA
.PL55

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6496 OF 2000@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC
(Arising out of SLP(C)No.13877/99)

Jai Singh ...Appellant

Vs.

Salinder & Anr. ...Respondents

ORDER@@
CCCCC

.....L.....I.....T.....T.....T.....T.....T.....J....R
.SP2

Leave granted.

A claim has been made for compensation in respect of death of the father of the respondent No.1 in a motor accident. The Motor Accident Claims Tribunal awarded compensation in a sum of Rs.1,72,000 (rupees one lakh and seventy two thousand). The owner of the vehicle challenged the said award in the High court by way of an appeal as of right. That appeal was disposed of by the High Court in the following words:

.....L.....I.....T.....T.....T.....J
.SP1

"After having heard the learned counsel for the parties and perusing paper book, we find no merit in this appeal. Dismissed.

A sum of Rs.25,000/- deposited by the appellant at the time of filing of the appeal be remitted to the Motor Accident Claims Tribunal, Karnal, for disbursement to the claimant."

.....L.....I.....T.....T.....T.....T.....T.....T.....J
.SP2

-2-

Learned counsel for the appellant submits that none of the contentions raised by the appellant before the High Court has been considered. Being a statutory appeal preferred as a matter of right the contentions ought to have been considered and findings arrived at. We are in agreement with the contention of the counsel that the appeal has not been given a fair treatment. We, therefore, set aside the impugned order of the High Court. The appeal preferred by the appellant before the High Court will now be disposed of afresh in accordance with law.

This appeal is disposed of accordingly.

.SP1

.....J.
(K.T. Thomas)

New Delhi;
November 17, 2000.

.....J.
(R.P.Sethi)