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SLP(C)No. 11053 OF 2003
ITEM No.55

Court No. 8

SECTION IVB

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.11053/2003

(From the judgement and order dated 17/12/2002 in FAO 5853/02
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

NATIONAL INSURANCE CO. LTD.

Petitioner (s)

VERSUS

JASVINDER KAUR & ORS.
(With prayer for interim relief)

Respondent (s)

Date : 27/01/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA

HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)Mr. Vishnu Mehra, Adv.
Mr. B.K.Satija,Adv.

For Respondent (s)

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

It has been held in the judgment of this Court dated 5th January, 2004 in SLP (C) No.9027/2003 , National Insurance Co. Ltd. v. Swaran Singh & Others which lays down that the Insurance Comp any must first pay and then recover. In the impugned judgment it is directed that the Insuranc e Company first pay and then recover. We thus see no reason to interfere. The Special Leave Petition is dismissed.

(K.K. Chawla)
Court Master

(Jasbir Singh)
Court Master

(K.K. Chawla)
Court Master

(Jasbir Singh)
Court Master