

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(s).12180/2004

(From the judgement and order dated 27/01/2004 in FAO No.463/2004
of the HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

ORIENTAL INSURANCE CO. LTD.

Petitioner(s)

VERSUS

BOHTI DEVI & ORS.

Respondent(s)

(With Appln(s) for interim directions and with prayer for
interim relief and office report)

Date: 11/03/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

HON'BLE MR. JUSTICE A.K. MATHUR

For Petitioner(s)

Mr. Manish Singhvi,Adv.

Mr. P.V. Yogeswaran,Adv.

For Respondent(s) Mr. Mahabir Singh,Adv.

Mr. Gagandeep Sharma,Adv.

Mr. Nikhil Jain,Adv.

Ms. Suruchi Chaudhary,Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The matter is remitted to the High Court for fresh disposal
and the

appeal is allowed in terms of the signed order.

(A.S. BISHT)

(PUSHAP LATA BHARDWAJ)

COURT MASTER

COURT MASTER

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1690 OF 2005

[Arising out of S.L.P.(C) No.12180 of 2004]

ORIENTAL INSURANCE CO. LTD.
APPELLANT(S)

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:VERSUS:

BOHTI DEVI AND ORS.
RESPONDENT(S)

.....

O R D E R

Leave granted.

The basic question of liability of the Insurance Company to compensate the

owner of the vehicle has not been dealt with by the High Court. It seems that this

aspect deserves to be examined by the High Court after admission of the appeal.

Accordingly, the matter is remitted to the High Court for fresh disposal. The appeal is allowed accordingly.

We further direct that the petitioner shall deposit the balance of the

compensation amount with the Tribunal, within a period of six weeks. The Tribunal shall take steps to place this amount in a fixed deposit in any nationalised bank for a period of six months initially. The amount which remains to be deposited shall not be withdrawn, unless otherwise ordered by the High Court.

.....J

(P.VENKATARAMA REDDI)

.....J

(A.K. MATHUR)

NEW DELHI;

MARCH 11, 2005.