

IT E M NO.1

COURT NO.1 0

S E C T I O N I V B

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(s).1 1 8 0 1 - 1 1 8 0 4 / 2 0 0 5

(From the judgement and order dated 0 7 / 1 2 / 2 0 0 4 in FAO No. 4 8 4 5 / 2 0 0 3 & FAO No. 4 8 4 6 / 2 0 0 3 & FAO No. 4 8 4 7 / 2 0 0 3 & FAO No. 4 8 4 8 / 2 0 0 3 of The HIGH COUR T OF PUN J A B & HAR Y A N A AT CHAND I G A R H)

J A I P R A K A S H

Petitioner(s)

VER SUS

M/S. NAT ION A L INSU R A N C E CO. & ORS.

Respondent(s)

(With appln(s) for stay and prayer for interim relief and office report)

Date: 0 9 / 0 9 / 2 0 0 8 These Petitions were called on for hearing today.

CORA M :

HON' B L E MR. JUS T I C E R.V. RAV E E N D R A N

HON' B L E MR. JUS T I C E LO K E S H W A R SING H P A N T A

For Petitioner(s)

Mr. Manoj Swarup, Adv.

Ms. Lalita Kohli, Adv.

Ms. Charu Singhal, Adv.

for M/S Manoj Swarup & Co., Adv.

For Respondent(s)

Mr. S.L. Gupta, Adv.

Mr. Goodwill Indeevar, Adv.

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

The claima nts are not represented in these cases. One of the issues arising for consideration is whether a person who chooses to travel in a goods vehicle knowing that it is not permitted and is illegal, and sustains injuries, can he claim full compensation from the owner, ignoring his own wrong doing. The learned counsel for the petitioner contends that the owner should not be burdened with liability in such a case.

Having regard to the fact that this issue arises frequently on

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account of the widespread prevalence of unauthorised travel in goods vehicles in India (by reason of the inadequacy of recognised modes of transport), we request Mr. Gopal Subra m a n i u m, learned Additional Solicitor General to assist us in this case as amicus curiae. The Registry to furnish a copy of these petitions to him. List in the 2 nd week of October, 200 8.

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