

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7209 OF 2012

ICHHABEN BABUBHAI PANCHAL & ORS.

APPELLANTS

VERSUS

ORIENTAL INSURANCE CO.LTD.& ORS.

RESPONDENTS

O R D E R

Having heard Mr. Puneet Jain, learned counsel appearing for the appellants and Mr. S.L. Gupta, learned counsel appearing for the respondent-Insurance Company and upon perusal of the record, we are not inclined to interfere with the impugned judgment and order dated 11.12.2007, passed by the High Court of Gujarat in First Appeal No.2259/1999.

However, we find from the record of this case that the appellants have deposited a sum of Rs.10,00,000/- (Rupees ten lakh only) with the Registry of this Court.

We direct that the aforesaid amount of Rs.10,00,000/- (Rupees ten lakh only) along with the interest accrued thereon, be released in favour of the respondent-Insurance Company forthwith by the Registry.

We make it clear that the respondent-Insurance Company would not be entitled to recover the amount already received by the appellants-claimants on 21.1.2004.

With the aforesaid directions, this appeal stands disposed of.

.....J
[S. A. BOBDE]

.....J
[L. NAGESWARA RAO]

New Delhi;
FEBRUARY 15, 2017.

ITEM NO.110

COURT NO.9

SECTION IX

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

Civil Appeal No.7209/2012

ICHHABEN BABUBHAI PANCHAL & ORS.

Appellant(s)

VERSUS

ORIENTAL INSURANCE CO.LTD.& ORS.

Respondent(s)

(With office report)

Date : 15/02/2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE

HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Appellant(s) Mr. Puneet Jain, Adv.
Mr. Abhinav Gupta, Adv.
Mr. Priyal Jain, Adv.
For Ms. Pratibha Jain, Adv.

For Respondent(s) Mr. S.L. Gupta, Adv.
Mr. Varinder Kumar Sharma, Adv.
Mr. Kuldeep Singh Tomar, Adv.
Mr. B.S. Gautam, Adv.
Mr. R.K. Gupta, Adv.

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

The appeal stands disposed of in terms of the signed order.

As a sequel to the above, pending interlocutory applications,
if any, stand disposed of.

(Sanjay Kumar-II)
Court Master

(Indu Pokhriyal)
Court Master

(Signed Order is placed on the file)