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SLP(C)No. 16432 OF 2001

ITEM No.48

Court No.11

SECTION IVA
A/N MATTER

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.16432/2001

(From the judgement and order dated 28/03/2001 in MFA 4024/00
of The HIGH COURT OF KARNATAKA AT BANGALORE)

HUSSEINABI & ANR.

Petitioner (s)

VERSUS

UNITED INDIA INSURANCE CO. LTD.

Respondent (s)

Date : 11/02/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. PHUKAN
HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

For Petitioner (s) Mr. Girish Ananthamurthy,adv.
Mr. P.P. Singh,Adv.

For Respondent (s) Mr. S.S.Panwar,adv.
Mr. Pradyot Kumar Chakravarty,Adv.

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

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

Delay condoned.
Leave granted.
The appeal is allowed.

.SP1

(Suman Wadhwa)
Court Master

(S.Malkani)
Court Master

Signed order is placed on the file.

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.PL55

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2002@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC
(Arising out of SLP(C)No.16432/2001)

Smt. Husseinabi & Anr.

...Appellants

Vs.

The United India Insurance Co.Ltd.

...Respondent

ORDER@@
CCCCC

.SP2

Delay condoned.
Leave granted.

The High Court refused to condone the delay of 243 days. The High Court ought to have considered the application for condonation of delay on its own merits. We, therefore, set aside the impugned order and direct the High Court to consider the question of delay on merit. The judgment referred to by the High Court had no bearing on the facts of this case.

The appeal is allowed.
No costs.

.SP1

.....J.
(S.N. Phukan)

.....J.
(P.Venkatarama Reddi)

New Delhi;
February 11, 2002