

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).14733/2006
(From the judgement and order dated 27/03/2006 in FAFO No. 791/2006 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

ORIENTAL INSURANCE COMPANY LTD.

Petitioner(s)

VERSUS

MAYA DEVI & ANR

Respondent(s)

(With prayer for interim relief and office report)

WITH SLP(C) NO. 19007 of 2006

(With prayer for interim relief and office report)

Date: 13/08/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE H.S. BEDI

For Petitioner(s) Mr. Joy Basu, Adv.

Mr. B.K.Satija,Adv.

For Respondent(s) Ms. Rachna Gupta,Adv.

Mr. V. Prabhakar, Adv.

Mr.Ramjee Prasad, Adv.

Mrs. Revathy Raghavan

Mr. Magesh, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The appeals are disposed of in terms of the signed order.

[Meenu Sethi] [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.3755 /2007
(Arising out of SLP(C) No.14733/2006)

Oriental Insurance

Company Ltd. ...Appellant

Versus

Maya Devi & Anr.

...Respondents

With C.A.No.3756/2007 (@ SLP(C) No.19007/2006)

ORDER

C.A.No.3755/2007(@ SLP(C) No.14733/2006)

Leave granted.

Having heard learned counsel for the parties and keeping in view the nature of allegations made by the Insurer, we are of the opinion that the interest of justice would be subserved if the awarded amount deposited by the appellant is not permitted to be withdrawn by the respondents. We would,however,

request the High Court to consider the desirability of disposing of the appeal pending before it on its own merits as expeditiously as possible and preferably within a period of three months from the date of receipt of copy of this order.

The appeal is, thus, disposed of.

C.A. No.3756/2007(@ SLP(C) No.19007/2006)

Leave granted.

Having heard learned counsel for the parties, we are of the opinion that the interest of justice would be subserved if without prejudice to the rights and contentions

of the parties, the interim order passed by the High Court is modified to the extent that thereby the award passed by the Motor Accident Claims Tribunal, which is in the following terms, is directed to be implemented:

" 24. In the result, the award is passed with costs in a sum of Rs. 4,32,500/- (Rupees four lakhs thirty two thousand and five hundred only) in favour of the petitioners with 7.5% interest p.a. from the date of the petition till the date of deposit. Out of the total compensation, the 4th petitioner is entitled to Rs.32,500/- (Rupees thirty two thousand and five hundred only) and the petitioner 1 to 3 are entitled the remaining compensation amount equally. The respondents 1 and 2 are liable to pay the compensation amount jointly and severally within three months. The respective shares of the petitioners 1 and 4 are ordered to be deposited in a Nationalised Bank for a period of three years. The share of the minor petitioners 2 to 3 are ordered to be deposited in a Nationalised Bank till they attain majority....."

However, the interest accrued out of the amount deposited in the Nationalised Bank may be disbursed once in six months.

The appeal is disposed of with the aforementioned observations and directions.

.....J.

[S.B. SINHA]

.....J.

[H.S. BEDI]

New Delhi,
August 13, 2007