

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7632 OF 2012  
(SPECIAL LEAVE PETITION(C.)NO.10128 OF 2006)

NATIONAL INSURANCE CO. LTD. ...APPELLANT

VERSUS

SMT. MANJU MAJUMDER & ANR. ...RESPONDENTS

W I T H

C.A.NO.7633 OF 2012 @ S.L.P.(C)NO.10130/2006

C.A.NO.7634 OF 2012 @ S.L.P.(C)NO.10132/2006

C.A.NO.7635 OF 2012 @ S.L.P.(C)NO.10133/2006

C.A.NO.7636 OF 2012 @ S.L.P.(C)NO.10315/2006

C.A.NO.7637 OF 2012 @ S.L.P.(C)NO.16460/2006

C.A.NO.7638 OF 2012 @ S.L.P.(C)NO.10390/2006

C.A.NO.7639 OF 2012 @ S.L.P.(C)NO.10217/2006

C.A.NO.7640 OF 2012 @ S.L.P.(C)NO.20966/2006

C.A.NO.7641 OF 2012 @ S.L.P.(C)NO.15699/2008

AND WITH

CIVIL APPEAL NO.1889/2008

O R D E R

1. Delay condoned.

2. Leave granted in all the Special Leave Petitions.

C.A. Nos.arising out of SLP Nos.: 10128/2006, 10130/2006, 10132/2006  
10133/2006, 10315/2006, 16460/2006, 10390/2006, 10217/2006

1. These appeals are directed against the common judgment and order dated 03.03.2006 passed by the High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura, Mizoram and Arunachal Pradesh in Writ Petition No.7008 of 2005, 7278 of 2004, 2556 of 2005, 3208 of 2005, 4619 of 2004, 3181 of 2000, 3336/2001 and 2105 of 2005 whereby the High Court has dismissed the appeals.

2. We have heard learned counsel for the parties to the lis.

3. The issues raised in these appeals, in our view, is no more res integra, in view of the decision of this Court in the case of United Insurance Co. Ltd. Vs. Shila Datta & Ors, reported in (2011) 10 SCC 509.

4. Following the observations made in the aforesaid decision, these appeals are disposed of. We set aside the impugned judgment and order passed by the High Court and remand the matters to the High Court.

5. We request the High Court to restore the appeals to its file and decide the same on merits and in accordance with law after issuing appropriate notice to both the parties in each case.

Ordered accordingly.

C.A. Nos.arising out of SLP NO. 20966/2006

1. This appeal is directed against the judgment and order dated 13.07.2006 passed by the High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura, Mizoram and Arunachal Pradesh in C.R.P. No.29/2006 whereby the High Court has dismissed the review petition.

2. We have heard learned counsel for the parties to the lis.

3. The issues raised in this appeal, in our view, is no more res integra, in view of the decision of this Court in the case of United Insurance Co. Ltd. Vs. Shila Datta & Ors, reported in (2011) 10 SCC 509.

4. Following the observations made in the aforesaid decision, this appeal is disposed of. We set aside the impugned judgment and order passed by the High Court and remand the matter to the High Court.

5. We request the High Court to restore the appeal to its file and decide the same on merits and in accordance with law after issuing appropriate notice to both the parties in each case.

Ordered accordingly.

C.A. Nos.arising out of SLP NO.SLP NO. 15699/2008

1. This appeal is directed against the judgment and order dated 25.02.2008 passed by the High Court of Delhi in MAC APP No.164/2004 whereby the High Court has dismissed the appeal of the petitioner.

2. We have heard learned counsel for the parties to the lis.

3. The issues raised in this appeal, in our view, is no more res integra, in view of the decision of this Court in the case of United Insurance Co. Ltd. Vs. Shila Datta & Ors, reported in (2011) 10 SCC 509.

4. Following the observations made in the aforesaid decision, this appeal is disposed of. We set aside the impugned judgment and order passed by the High Court and remand the matter to the High Court.

5. We request the High Court to restore the appeal to its file and decide the same on merits and in accordance with law after issuing appropriate notice to both the parties of the case.

Ordered accordingly.

C.A. NO. 1889/2008

1. This appeal is directed against the judgment and order dated 10.10.2007 passed by the High Court of Delhi in MAC APP No.265/2007 whereby the High Court has dismissed the appeal of the petitioner.

2. We have heard learned counsel for the parties to the lis.

3. The issues raised in this appeal, in our view, is no more res integra, in view of the decision of this Court in the case of United Insurance Co. Ltd. Vs. Shila Datta & Ors, reported in (2011) 10 SCC 509.

4. Following the observations made in the aforesaid decision, this appeal is disposed of. We set aside the impugned judgment and order passed by the High Court and remand the matter to the High Court.

5. We request the High Court to restore the appeal to its file and decide the same on merits and in accordance with law after issuing appropriate notice to both the parties of the case.

Ordered accordingly.

.....J.  
(H.L. DATTU)

.....J.  
(CHANDRAMAULI KR. PRASAD)

NEW DELHI;  
OCTOBER 19, 2012  
ITEM NO.40

COURT NO.7

SECTION XIV

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).10128/2006

(From the judgement and order dated 03/03/2006 in WP No.7008/2005 of the  
HIGH COURT OF GUWAHATI, ASSAM)

NATIONAL INSURANCE CO.LTD.

Petitioner(s)

VERSUS

MANJU MAJUMDER & ANR

Respondent(s)

WITH SLP(C)No.10130/2006  
WITH SLP(C)No.10132/2006  
WITH SLP(C)No.10133/2006  
WITH SLP(C)No.10315/2006  
WITH SLP(C)No.16460/2006  
WITH SLP(C)No.10217/2006

(With prayer for interim relief and office report )

WITH SLP(C)No.10390/2006

(With appln.(s) for exemption from filing c/c of the impugned judgment and  
with prayer for interim relief and office report)

WITH SLP(C)No.20966/2006

(with appln.(s) for c/delay in filing SLP and office report)

(for final disposal)

SLP(C)No.15699/2008

(with prayer for interim relief and office report)

(for final disposal)

C.A.No.1889/2008

(with appln.(s) for c/delay)

Date: 19/10/2012 These Petitions/appeal were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Petitioner(s) Ms.Ruchi B.Jain, Adv.

Mr.B.K.Gupta, Adv.

for Mr. Avijit Bhattacharjee,Adv.

: 2 :

Mr. Parmanand Gaur ,Adv

Mr.Sudhir Kumar Gupta, Adv.

Mr.Rajvinder Singh, Adv.

Mr.Manish Gupta, Adv.  
Mr.Rakesh Kumar Gupta, Adv.

Mr.S.L.Gupta, Adv.  
Mr.M.S.Mangla, Adv.  
Mr.Ram Ashray, Adv.  
Mr.Ravinder Kumar, Adv.  
Ms.Shalu Sharma, Adv.  
Ms.Shalini Aggrawal, Adv.  
Mr.Neeraj Srivastava, Adv.

For Respondent(s)                    Mr. H.K. Puri, Adv.(NP)

Ms.S.Janani, Adv.

Mr.Anil Kumar Jha, Adv.

Mr.F.I.Choudhury, Adv.  
For Mr.Rameshwar Prasad Goyal, Adv.

Mr.Jai Prakash Pandey, Adv.

Mr.Rajiv Mehta, Adv.(NP)

Mrs.Sarla Chandra, Adv.(NP)

Mr.Manish Maini, Adv.  
Mr.Nikilesh Ramachandran, Adv.

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

Delay condoned.

Leave granted in all the Special Leave Petitions.

Appeals are disposed of, in terms of the signed order.

(G.V.Ramana)  
Court Master  
(signed order is placed on the file)

(Vinod Kulvi)  
Court Master