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SLP(C)No. 17860-17861 OF 2000
ITEM No.33

Court No. 6

SECTION XVII
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.17860-17861/2000

(From the judgement and order dated 10/05/2000 in LPAs 758/99 &
762/99 of The HIGH COURT OF PATNA)

ORIENTAL INSURANCE CO. LTD.

Petitioner (s)

VERSUS

ARCHANA RANJAN & ORS.

Respondent (s)

(With prayer for interim relief)

Date : 11/02/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s)

Mr.Kishore Rawat,Adv.,
Mr.M.K. Dua,Adv.

For Respondent (s)

Mr.Anil Amrit,Adv.for
Ms.Kamakshi S. Mehlwal,Adv.

UPON hearing counsel the Court made the following

O R D E R

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

Leave granted.

The appeals stand disposed of in terms of the
directions contained in the signed order with no order as to
costs.

.SP1

(Vijay Kumar Sharma)
Court Master

(K.K. Chadha)
Court Master

Signed order is placed on the file.

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1129-30 OF 2001@@
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(Arising out of SLP (C) No.17860-61/2000)

ORIENTAL INSURANCE CO.LTD.

Appellant

Versus

ARCHANA RANJAAN & ORS.

Respondents

O R D E R@@
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.....L.....I.....T.....T.....T.....T.....J.....
.SP2

Leave granted.

The question whether Insurance company is liable to pay the compensation in view of the murder which had taken place inside the motor vehicle, was not required to be decided at an interim stage. Hence, the impugned order passed by the High Court confirming the order passed by the Tribunal is required to be set aside and we do so.

It would be open to the parties to lead necessary evidence before the Motor Accident Claims Tribunal and raise this contention. The Claims Tribunal would decide the same in accordance with law. Withdrawal of the compensation deposited as per the order under section 140 of the Motor Vehicle Act will be subject to the final decision in the proceedings.

The Civil Appeals stand disposed of accordingly with no order as to costs.

.SP1

.....J.
(M.B. Shah)

.....J.
(B.N. Agrawal)

New Delhi,
Dated 11.2.2002