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ITEM No.25 Court No. 5 SECTION IVB

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.18364/2000

(From the judgement and order dated 10/08/2000 in FAO 1530/98
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

ORIENTAL INSURANCE CO. LTD. Petitioner (s)

VERSUS

DARSHANA DEVI & ORS. Respondent (s)

(With prayer for interim relief)

Date : 20/11/2000 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. Kishore Rawat,adv.
Mr. M.K. Dua,Adv.
For Respondent (s)

UPON hearing counsel the Court made the following
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Learned counsel submitted that though the Insurance Company is debarred from taking up a plea in view of Sec.149(2) of the Motor Vehicles Act 1988 it is open to the High Court to consider the question in the light of the vide powers conferred on a High Court under Art.227 of the Constitution. We are not dealing with that issue now because no such plea had been raised before the High Court. The SLP is accordingly dismissed.

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(Suman Wadhwa) (H.K. Bhatia) @@
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P.A. to Addl. Registrar Court Master@@
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