ITEM NO.13 COURT NO.13 SECTION XV

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)...../2010
CC 11375-11377/2010

(From the judgement and order dated 26/11/2009 in SBCMA No. 1132/2005 & SBCMA No. 1133/2005 & SBCMA No. 1134/2005 of The HIGH COURT OF RAJASTHAN AT JODHPUR)

UNITED INDIA INSURANCE CO.LTD. Petitioner(s)

VERSUS

ANTIMA & ORS. Respondent(s)

With I.A.1-3 (C/delay in filing SLP, c/delay in refiling SLP and office report)

Date: 06/08/2010 These Petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE J.M. PANCHAL
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s) Mr. A. K. De, Adv.
Mr. Udit Kumar, Adv.
Mr. Rajesh Kumar, Adv.
Mr. Debasis Misra,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

These Special leave Petitions are directed against the judgment dated 26.11.2009 rendered in S. B. Civil Misc. Appeal Nos.1132-1134 of 2005 by which the petitioner is directed to pay a sum of Rs.15,24,000/- as compensation to the respondents. The plea that liberty be reserved to the petitioner to recover the amount from the other tortfeaser need not be examined by this Court in absence of the other tortfeaser before this Court. The contention that direction given in the impugned judgment to pay a sum of rupees

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one lakh to "Public Safety Account" of the Transport Commissioner, Government of Rajastahan, Jaipur is not in accordance with law deserves to be accepted in view of judgment of this Court dated 8.3.2010 passed in SLP ©.....CC No.2954 of 2010. Hence, the said direction is deleted. However, it is clarified that because of the deletion of that direction, the petitioner would not be entitled to receive rupees one lakh determined to be payable to the respondents as compensation. The said amount would also be payable to the respondents along with other amount.

Subject to the above-mentioned deletion of direction and clarification, the Special Leave Petitions stand dismissed.

(Neetu Sachdeva)
Sr. P. A.

(Sneh Bala Mehra)
Court Master