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ITEM No.16 Court No. 5 SECTION IVA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

(CC 7356/2000)
Petition(s) for Special Leave to Appeal(Civil)...../2000

(From the judgement and order dated 11/06/1999 in MFA 3844/98 ,MFA 3844/98 of The HIGH COURT OF KARNATAKA AT BANGALORE)

VIJAYAKUMAR BHAVANIRAO KULKARNI Petitioner (s)

VERSUS

KHADARABI & ORS. Respondent (s)

(With IA.1 for c/delay in filing SLP)
(With Office Report)

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. P.R. Ramasesh,Adv.

For Respondent (s)

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

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Delay condoned.

Petitioner being the owner of the vehicle is claiming that he is entitled to get reimbursement of the amount awarded and paid from the Insurance Company particularly in the light of the decision of this Court in New India Assurance Co. vs.@@ CCCCCCCCCCCCCCCCCCCCCC Satpal Singh and Ors. (2000 (1) SCC 237).@@ CCCCCCCCCCCCCCCCCCCCC

Issue notice to respondent no.9 - Insurance Company alone, on condition that petitioner shall deposit with the Tribunal the award amount. No notice need be issued to the other respondents because this dispute is only between the insured and the insurer. We again make it a condition that

this notice is issued as the petitioner has agreed to deposit the awarded amount with the MACT within six weeks from today. If any such amount is deposited the MACT shall pass disbursement order in accordance with the decision of this court in General Manager, Kerala State Road Transport@@
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Corporation, Trivandrum vs. Susamma Thomas (Mrs.) and Ors.@@
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(1994(2) SCC 176).

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