ðITEM No.12 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 8641
Petition(s) for Special Leave to Appeal(Civil).../2000
(From the judgement and order dated 23/06/2000 in LPA 89/97
of The HIGH COURT OF M.P AT INDORE)

NEW INDIA ASSURANCE CO. LTD. Petitioner (s)

VERSUS

CHANDA & ORS. Respondent (s)
( With I.A. 1 for c/delay in filing SLP )

Date : 03/01/2001 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. JR Midha,Adv.
Mr. Pranab Kumar Mullick,Adv.

For Respondent (s)

UPON hearing counsel the Court made the following
O R D E R
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Learned counsel for the petitioner - New India Assurance Company submits that the company is not disputing the quantum of compensation fixed by the Division Bench in the impugned order as the same cannot be disputed by the Assurance Company. But all that learned counsel contends is that the liability of the Assurance Company should have been reduced to the limit fixed in the Policy. We have not find from the impugned judgment that the said point has been raised before the Division Bench. It is open to the Assurance Company to file a review petition before the High Court in that regard. Learned counsel submits that the Assurance Company would be advised to do so. To afford this opportunity to the petitioner - Assurance Company we dismiss this SLP as withdrawn.
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(N.K. GOEL) (H.K. BHATIA) @@
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COURT MASTER COURT MASTER@@
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