

ITEM NO.301

COURT NO.4

SECTION IVB

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).11801-11804/2005

(From the judgement and order dated 07/12/2004 in FAO No. 4845/2003 & FAO No. 4846/2003 & FAO No. 4847/2003 & FAO No. 4848/2003 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

JAI PRAKASH

Petitioner(s)

VERSUS

M/S. NATIONAL INSURANCE CO. & ORS.

Respondent(s)

(With appln(s) for stay and prayer for interim relief and office report) (FOR FINAL DISPOSAL)

(1) [MOTOR VEHICLE ACT, 1988-SEC.149 - WHETHER THE INSURANCE COMPANY IS LIABLE TO PAY THE COMPENSATION TO THE UNAUTHORISED/ GRATUITOUS PASSENGERS TRAVELLING IN THE VEHICLE]

SLP(C) NOS.11801-11804/2005

WITH

SLP(C) NO.157/2005 (With prayer for interim relief and office report)

SLP(C)NO.4767/2005

(With appln.(s) for delinking the petition and office report)

SLP(C) NO. 13982-13983 of 2005(With office report)

SLP(C) NO. 12114 of 2006 (With office report)

SLP(C) NO. 15472 of 2007

(With prayer for interim relief and office report)

SLP(C) NO. 13301-13306 of 2008 (With office report)

SLP(C) NO. 9091 of 2008

(With prayer for interim relief and office report)

SLP(C) NO. 15208-15221 of 2008

(With prayer for interim relief and office report)

SLP(C) NO. 19262 of 2008

(With appln.(s) for directions and office report)

SLP(C) No.8335/2007

(With appln.(s) for c/delay in filing SLP and with prayer for interim relief and office report)

SLP(C) No.8336/2007

(With appln. For c/delay in filing SLP and office report)

SLP(C) No.8337/2007

(with appln. For c/delay in filing SLP and office report)

SLP(C) No.8339/2007

(with appln. For c/delay in filing SLP and office report)

SLP(C) No.8340/2007

(With appln. For c/delay in filing SLP and office report)

SLP(C) No.8341/2007

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(With appln. For c/delay in filing SLP and office report)

SLP(C) No.8344/2007

(with appln. For c/delay in filing SLP and office report)

SLP(C) No.8345/2007

(with appln. For c/delay in filing SLP and office report)

SLP(C) No.8346/2007

(with appln. For c/delay in filing SLP and office report)

SLP(C) No.8347/2007

(with appln. For c/delay in filing SLP and office report)

SLP(C) No.8348/2007

(with appln. For c/delay in filing SLP and office report)

SLP(C) No.8349/2007
(with appln. For c/delay in filing SLP and office report)
SLP(C) No.8350/2007
(With appln. For c/delay in filing SLP and office report)
SLP(C) No.8351/2007
(with appln. For c/delay in filing SLP and office report)
SLP(C) No.8352/2007
(With appln. For c/delay in filing SLP and office report)
SLP(C) No.8354/2007
(with appln. For c/delay in filing SLP and office report)
SLP(C) No.8355/2007
(with appln. For c/delay in filing SLP and office report)
SLP(C) NO.10669/2006
(With prayer for interim relief and office report)
SLP(C)NO.21160/2005
(With prayer for interim relief and office report)
SLP(C) NO.4734/2008 (With office report)
SLP(C) NO.11283/2006
(With prayer for interim relief and office report)
SLP(C) NO.5184/2008 (With prayer for interim relief)
SLP(C) NO.5151/2009 (With office report)
C.A.No.6279/2003
(with office report)
C.A.NO.6280/2003
(With office report)
C.A.NO.2067/2006
(With prayer for interim relief and office report)
SLP(C) NO.4175/2007
(With prayer for interim relief and office report)
C.A.NO.3174/2009 (With prayer for interim relief and office report)
C.A.NO.6391/2004 (With office report)
C.A.No.1413/2008
C.A.NO.987/2008
C.A.NO.1208/2008 (With prayer for interim relief)
C.A.NO.1298/2003 (With office report)
C.A.NO.5213-5214/2008 (with office report)
C.A.NO.4953/2009 (With office report)
SLP(C)NO.15991/2007
(with prayer for interim relief and officer report)
SLP(c) NO.1715/2008
(With prayer for interim relief and office report)
SLP(C)NO.8277-8282/2008
(With prayer for interim relief and office report)

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SLP(C)NO.19436-19437/2009
(With prayer for interim relief and office report)
SLP(C)NO.23561-23562/2009
(With appln.(s) for c/delay in filing SLP and c/delay in refiling SLP
and office report)
SLP(C) NO.1269/2006
(With prayer for interim relief and office report)
C.A. NO.1693/2007
C.A.No.4577-4578/2005 (With Appln.(s) for stay and Office Report)
SLP(C)No.10798-10804/2004 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)
SLP(C)No.11400-11411/2004 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)
C.A.No.4987/2006
SLP(C)No.13590/2008 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)
C.A.No.6037/2003 (With Office Report)
C.A.No.6590/2003 (With Office Report)
SLP(C)No.19207/2008 (WITH OFFICE REPORT)
SLP(C)No.4039/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)
SLP(C)No.14302/2006 (WITH OFFICE REPORT)
SLP(C)No.22483/2007 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)

SLP(C)No.12519/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
C.A.No.4545/2005 (With Appln.(s) for exemption from filing O.T.and Prayer for Interim Relief)
C.A.No.4471/2005 (With Prayer for Interim Relief and Office Report)
C.A.No.4632-4636/2005 (With Prayer for Interim Relief and Office Report)
C.A.No.4472/2005 (With Office Report)
C.A.No.4470/2005 (With Office Report)
C.A.No.4469/2005 (With Prayer for Interim Relief and Office Report)
C.A.No.4630-4631/2005 (With Prayer for Interim Relief and Office Report)
SLP(C)No.5004-5005/2008 (WITH APPLN.(S) FOR SUBSTITUTED SERVICE AND DIRECTIONS)
SLP(C)No.24180-24213/2009
C.A.No.4486/2005 (With Prayer for Interim Relief)
SLP(C)No.8387/2006 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP)
SLP(C)No.1770/2009
SLP(C)No.25766/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP)
SLP(C)No.2687/2009 (With Prayer for Interim Relief)
SLP(C)No.24051/2004 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.24052/2004 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.24054/2004 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.24055/2004 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.29081-29082/2008 (With Office Report)
SLP(C)No.13323/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP)

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C.A.No.589/2009
C.A.No.4420/2007 (With Office Report)
C.A.No.479/2009
C.A.No.4082/2004 (With Office Report)
C.A.No.1437/2008 (With Prayer for Interim Relief and Office Report)
SLP(C)No.7383/2005 (OFFICE REPORT ON DEFAULT)
SLP(C)No.29513/2008 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.2101/2009 (WITH APPLN.(S) FOR PERMISSION TO PLACE ADDL. DOCUMENTS ON RECORD)
SLP(C)No.4513/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.6600/2009 (WITH OFFICE REPORT)
SLP(C)No.6601/2009 (WITH OFFICE REPORT)
SLP(C)No.10810/2009 (WITH OFFICE REPORT)
SLP(C)...CC 6970/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP)
SLP(C)No.15753/2009 (WITH OFFICE REPORT)
SLP(C)No.23876/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.23174/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.23931/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND C/DELAY IN REFILING SLP AND OFFICE REPORT)
SLP(C)No.25032/2008 (WITH APPLN.(S) FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS AND OFFICE REPORT)
SLP(C)No.23459/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT) WITH I.A.NO.2(APPLN. FOR DIRECTIONS)
SLP(C)No.21211/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

(2) [MOTOR VEHICLE ACT, 1988 - SEC. 146, 147, 149 AND 166 - OVERLOADING OF BUS AND RASH AND NEGLIGENT DRIVING - VIOLATION OF TERMS AND CONDITIONS OF POLICY -WHETHER INSURANCE COMPANY IS LIABLE TO PAY COMPENSATION TO REPRESENTATIVES OF THE INJURED AND DEAD PERSONS IN AN ACCIDENT INVOLVED IN PUBLIC TRANSPORT VEHICLE WHO WERE ABOVE THE PERMISSIBLE LIMIT OF PASSENGERS IN THE VEHICLE]

WITH
C.A.No.4625/2006
C.A.No.4750/2006
SLP(C)No.19734/2006 (With Office Report)
SLP(C)No.20716/2006 (With Office Report)
SLP(C)No.20719/2006 (With Office Report)
SLP(C)No.20714/2006 (With Office Report)
SLP(C)No.20721/2006 (With Office Report)
SLP(C)No.20690/2006 (With Office Report)
SLP(C)No.20720/2006 (With Office Report)
SLP(C)No.20688/2006 (With Office Report)
SLP(C)No.18911/2006 (With Prayer for Interim Relief and Office Report)
SLP(C)No.18942/2006 (With Prayer for Interim Relief and Office Report)
SLP(C)No.20700/2006 (With Office Report)
SLP(C)No.19018/2006 (With Prayer for Interim Relief)

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SLP(C)No.19029/2006 (With Prayer for Interim Relief and Office Report)
SLP(C)No.19059/2006 (With Prayer for Interim Relief and Office Report)
SLP(C)No.19061/2006 (With Prayer for Interim Relief and Office Report)
SLP(C)No.20711/2006 (With Office Report)
SLP(C)No.20707/2006
SLP(C)No.758/2007 (With Office Report)
SLP(C)No.619/2007 (With Office Report)
SLP(C)No.621/2007 (With Office Report)
SLP(C)No.743/2007 (With Office Report)
SLP(C)No.1477/2007 (With Office Report)
SLP(C)No.1504/2007 (With Office Report)
SLP(C)No.1509/2007 (With Office Report)
SLP(C)No.1533/2007 (With Office Report)
C.A.No.2452/2006 (With Office Report)
C.A.No.2376/2006
SLP(C)No.2297/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.1392-1421/2008 (WITH PRAYER FOR INTERIM RELIEF)
SLP(C)No.26364-26366/2008 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.7331/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
C.A.No.5925-5926/2008 (With Prayer for Interim Relief)
C.A.No.93/2009 (With Prayer for Interim Relief and Office Report)
C.A.No.146/2009 (With Prayer for Interim Relief and Office Report)
SLP(C)No.21530/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.4216/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND TAKING ADDITIONAL DOCUMENT ON RECORD AND OFFICE REPORT)
SLP(C)No.3946/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND TAKING ADDITIONAL DOCUMENT ON RECORD AND OFFICE REPORT)
SLP(C)No.3947/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND TAKING ADDITIONAL DOCUMENT ON RECORD AND OFFICE REPORT)
SLP(C)No.6311/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND TAKING ADDITIONAL DOCUMENT ON RECORD AND OFFICE REPORT)
SLP(C)No.6312/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND PERMISSION TO FILE ADDITIONAL DOCUMENTS AND OFFICE REPORT)
SLP(C)No.6313/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND TAKING ADDITIONAL DOCUMENT ON RECORD AND OFFICE REPORT)
SLP(C)No.6314/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND TAKING ADDITIONAL DOCUMENT ON RECORD AND OFFICE REPORT)
SLP(C)No.1498/2007 (With Office Report)
SLP(C)No.24037/2009
SLP(C)No.24614/2009 (WITH OFFICE REPORT)
SLP(C)No.28407/2008 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT) (FOR FINAL DISPOSAL)

SLP(C)No.2095/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND
MODIFICATION OF COURT'S ORDER AND OFFICE REPORT)
(FOR FINAL DISPOSAL)
SLP(C)No.2047/2009 (WITH APPLN.(S) FOR C/DELAY IN REFILING SLP AND
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OFFICE REPORT) (FOR FINAL DISPOSAL)
SLP(C)No.2045/2009 (WITH APPLN.(S) FOR C/DELAY IN REFILING SLP AND
OFFICE REPORT) (FOR FINAL DISPOSAL)

(3) [MOTOR VEHICLE ACT, 1988 -SECTION 149 (2) WHEN THE DRIVER OF
THE OFFENDING VEHICLE WAS NOT HAVING A VALID AND EFFECTIVE
DRIVING LICENCE OR FAKE LICENCE - WHETHER THE INSURANCE
COMPANY IS LIABLE TO PAY COMPENSATION]

SLP(C)No.3440/2006 (WITH PRAYER FOR INTERIM RELIEF)
SLP(C)No.11994-11995/2004
SLP(C)No.16224/2006 (WITH APPLN.(S) FOR SUBSTITUTED SERVICE)
SLP(C)No.10255/2006
C.A.No.6224/2002 (With Office Report)
C.A.No.6225/2002 (With Office Report)
C.A.No.83/2003 (With Office Report)
C.A.No.84/2003 (With Office Report)
C.A.No.85/2003 (With Office Report)
C.A.No.86/2003 (With Office Report)
C.A.No.82/2003 (With Office Report)
C.A.No.7796/2002 (With Office Report)
C.A.No.8378/2002 (With Office Report)
C.A.No.8552/2002 (With Office Report)
C.A.No.8553/2002 (With Prayer for Interim Relief)
C.A.No.8554/2002 (With Office Report)
C.A.No.8555/2002 (With Office Report)
C.A.No.8556/2002 (With Office Report)
C.A.No.8557/2002 (With Office Report)
C.A.No.8558/2002 (With Office Report)
SLP(C)No.16949/2008(WITH PRAYER FOR INTERIM RELIEF)
C.A.No.2712/2002 (With Office Report)
SLP(C)No.21027/2007 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)
C.A.No.6525/2008 (With Prayer for Interim Relief and Office Report)
C.A.No.6589/2008 (With Prayer for Interim Relief)
C.A.No.5410/2009
SLP(C)No.2978/2008 (FOR FINAL DISPOSAL)
SLP(C)No.6945/2007 (WITH APPLN.(S) FOR DIRECTIONS)
SLP(C)No.7605/2007 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.13102/2009 (WITH OFFICE REPORT)
SLP(C)No.9820/2008 (WITH OFFICE REPORT)
SLP(C)No.1160/2003 (With Prayer for Interim Relief and Office Report)
C.A.No.2231/2006
C.A.No.970-971/2010 (With Prayer for Interim Relief and Office
Report)
SLP(C)No.24914/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)
SLP(C)No.26259/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)

(4) [MOTOR VEHICLE ACT, 1988 - SECTION 146- WHEN THE CHEQUE FOR
PAYMENT OF PREMIUM WAS DISHONOURED, WHETHER THE
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APPELLANT/INSURANCE COMPANY IS LIABLE TO PAY THE COMPENSATION
AMOUNT IN VIEW OF THE PROVISIONS OF SEC. 64VB OF THE
INSURANCE ACT, 1938]

WITH
SLP(C)No.15687/2003 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)

(FOR FINAL DISPOSAL)

SLP(C)No.21011-21012/2003 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT) (FOR FINAL DISPOSAL)

SLP(C)No.3843-3844/2004 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT) (FOR FINAL DISPOSAL)

SLP(C)No.4878/2004 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT) (FOR FINAL DISPOSAL)

SLP(C)No.10528/2004 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT) (FOR FINAL DISPOSAL)

SLP(C)No.25582/2004 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP) (FOR FINAL DISPOSAL)

SLP(C)No.1108/2005 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT) (FOR FINAL DISPOSAL)

SLP(C)No.2784/2005 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT) (FOR FINAL DISPOSAL)

SLP(C)No.7293-7309/2005 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT) (FOR FINAL DISPOSAL)

SLP(C)No.12716/2005 (WITH APPLN.(S) FOR EXEMPTION FROM FILING O.T. AND OFFICE REPORT) (FOR FINAL DISPOSAL)

SLP(C)No.15764/2005 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT) (FOR FINAL DISPOSAL)

SLP(C)No.14819/2006 (WITH OFFICE REPORT)

SLP(C)No.14847/2006 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

SLP(C)No.18398/2006 (WITH OFFICE REPORT)

SLP(C)No.18321/2007 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

SLP(C)No.10179/2006 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

SLP(C)No.16416/2006 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

SLP(C)No.866/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)

SLP(C)No.4474/2007 (WITH PRAYER FOR INTERIM RELIEF)

SLP(C)No.22444/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

C.A.No.7223/2003 (With Prayer for Interim Relief)

SLP(C)No.15506-15509/2007 (WITH PRAYER FOR INTERIM RELIEF)

SLP(C)No.16048-16063/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

SLP(C)No.16179-16181/2009 (WITH OFFICE REPORT)

SLP(C)No.1442/2008 (WITH APPLN.(S) FOR SUBSTITUTED SERVICE AND WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

SLP(C)No.15736/2006 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)

C.A.No.5960/2007 (With Prayer for Interim relief)

SLP(C)No.30899/2008 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

REPORT)

SLP(C)No.6520/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND C/DELAY IN FILING PROCESS FEE AND OFFICE REPORT)

SLP(C)No.6530/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)

SLP(C)No.6535/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)

SLP(C)No.6536/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)

SLP(C)No.6538/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND C/DELAY IN FILING PROCESS FEE AND OFFICE REPORT)

SLP(C)No.6539/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)

SLP(C)No.6540/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)

SLP(C)No.6555/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)

SLP(C)No.6557/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)

SLP(C)No.6571/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND

OFFICE REPORT)
SLP(C)No.6574/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.6575/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.6577/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND C/DELAY IN FILING PROCESS FEE AND OFFICE REPORT)
SLP(C)No.6579/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.6580/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.6584/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.6587/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.6592/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.6595/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND C/DELAY IN FILING PROCESS FEE AND OFFICE REPORT)
SLP(C)No.6598/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND C/DELAY IN FILING PROCESS FEE AND OFFICE REPORT)
SLP(C)No.6600/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.6601/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND C/DELAY IN FILING PROCESS FEE AND OFFICE REPORT)
SLP(C)No.6604/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.6606/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.6610/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND C/DELAY IN FILING PROCESS FEE AND OFFICE REPORT)
SLP(C)No.6611/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND C/DELAY IN FILING PROCESS FEE AND OFFICE REPORT)
SLP(C)No.6614/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND

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C/DELAY IN FILING PROCESS FEE AND OFFICE REPORT)
SLP(C)No.33759/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

(5) [MOTOR VEHICLE ACT, 1988, SEC.173, 142 (2) & (7), SEC.170, 149(2) - WHETHER THE INSURER SHALL BE WHOLLY WITHOUT ANY REMEDY EVEN IF THE AMOUNT OF COMPENSATION IS DETERMINED IN VIOLATION OF THE STANDARD FORMULA ENVISAGED IN THE SECOND SCHEDULE OF THE ACT OR IN CLEAR VIOLATION OF THE RATIOS LAID DOWN BY THIS HON'BLE COURT]

WITH C.A. NO.6026-6027/2007 (With office report)
SLP(C) NO. 10164 of 2006
(With prayer for interim relief and office report)
SLP(C) NO. 14962 of 2007 (With office report)
SLP(C) NO. 10128 of 2006
(With prayer for interim relief and office report)
SLP(C) NO. 10130 of 2006
(With prayer for interim relief and office report)
SLP(C) NO. 10131 of 2006
(With prayer for interim relief and office report)
SLP(C) NO. 10132 of 2006
(With prayer for interim relief and office report)
SLP(C) NO. 10133 of 2006
(With prayer for interim relief and office report)

SLP(C) NO. 10211 of 2006
(With prayer for interim relief and office report)
SLP(C) NO. 10217 of 2006
(With prayer for interim relief and office report)
SLP(C) NO. 10269 of 2006

(With prayer for interim relief and office report)
SLP(C) NO. 10315 of 2006
(With prayer for interim relief and office report)
SLP(C) NO. 10390 of 2006
(With prayer for interim relief and office report)
SLP(C) NO. 10511 of 2006
(With prayer for interim relief and office report)
SLP(C) NO. 10797 of 2006
(With prayer for interim relief and office report)
SLP(C) NO. 12121 of 2006 (With office report)
SLP(C) NO. 13966 of 2006 (With office report)
SLP(C) NO. 12747 of 2006 (With office report)
SLP(C) NO. 18540 of 2006 (With office report)
SLP(C) NO. 9302-9305 of 2005
(With prayer for interim relief and office report)
SLP(C) NO. 7905 of 2007 (With office report)
SLP(C) NO. 8789 of 2006
SLP(C) NO. 16460 of 2006
(With prayer for interim relief and office report)
Civil Appeal NO. 798-800 of 2006
SLP(C) NO. 3556 of 2008 (With office report)

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SLP(C) NO. 5073 of 2008 (With office report)
Civil Appeal NO. 1891 of 2008
(With prayer for interim relief)
Civil Appeal NO. 1889 of 2008
SLP(C) NO. 7108 of 2008 (With office report)
SLP(C) NO. 16066 of 2008 (With office report)
Civil Appeal NO. 4917 of 2008
(With prayer for interim relief and office report)
SLP(C) NO. 6359 of 2007
(With prayer for interim relief and office report)
SLP(C) NO. 5531-5532 of 2009 (With office report)
SLP(C) NO. 19472 of 2008
(With prayer for interim relief and office report)
SLP(C) NO. 29055 of 2009 (With office report)
SLP(C)No.26470/2008 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND
OFFICE REPORT)
SLP(C)No.9983/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
C.A.No.2813-2814/2005 (With Prayer for Interim Relief)
SLP(C)No.9408/2007 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
(FOR FINAL DISPOSAL)
SLP(C)No.14134/2008
SLP(C)No.14152/2008 (WITH OFFICE REPORT)
SLP(C)No.14131/2008 (WITH OFFICE REPORT)
SLP(C)No.14148/2008 (WITH OFFICE REPORT)
SLP(C)No.14129/2008 (WITH OFFICE REPORT)
SLP(C)No.14144/2008 (WITH OFFICE REPORT)
SLP(C)No.14121/2008 (WITH OFFICE REPORT)
SLP(C)No.14125/2008 (WITH OFFICE REPORT)
SLP(C)No.20966/2006 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND
OFFICE REPORT) (FOR FINAL DISPOSAL)
SLP(C)No.121/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.16018/2008 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)
SLP(C)No.13916/2008 (With Office Report)
SLP(C)No.6380/2007 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND
OFFICE REPORT)
SLP(C)No.17258/2006 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)
SLP(C)No.6868/2007 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
C.A.No.6717/2004
SLP(C)No.19275-19285/2008(WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)
SLP(C)No.25491/2008 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND
OFFICE REPORT)
SLP(C)No.2022/2008
SLP(C)No.5383/2008 (WITH APPLN.(S) FOR DASTI SERVICE)

SLP(C)No.13475/2006 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

(FOR FINAL DISPOSAL)

SLP(C)No.22535/2009 (WITH PRAYER FOR INTERIM RELIEF)

SLP(C)No.21888-21889/2008

SLP(C)No.19701/2009

(6) [MOTOR VEHICLE ACT, 1988 -WHETHER THE INSURANCE COMPANY IS
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LIABLE TO PAY COMPENSATION FOR THE DEATH OF A PERSON
TRAVELLING IN A PRIVATE CAR]

WITH
C.A.No.3335/2009
SLP(C)No.22691/2009
C.A.No.5354/2009 (With Prayer for Interim Relief and Office Report)

(7) [MOTOR VEHICLE ACT, 1988-SECS.163A, 166,165(1) WHETHER THE
INSURANCE COMPANY IS LIABLE TO PAY COMPENSATION IN CASE OF
DEATH/INJURI TO THE VICTIM AGAINST HIS OWN VEHICEL]

SLP(C)No.18413/2003 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.22435/2003 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.22747/2003 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.22045/2005 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
C.A.No.5763/2008 (With Prayer for Interim Relief and Office Report)
SLP(C)No.16030/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.24455/2003 (WITH PRAYER FOR INTERIM RESPONDENT-IN-PERSON RELIEF AND OFFICE REPORT)
SLP(C)No.3109/2006 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.17939/2008 (WITH APPLN.(S) FOR DECLARATION AND WITHDRAWAL AND WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.30980/2009 (WITH OFFICE REPORT)
SLP(C)No.21829/2008 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.28870/2008 (WITH OFFICE REPORT)
SLP(C)No.3063/2008 (WITH APPLN.(S) FOR PERMISSION AND WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.2903/2009 (WITH OFFICE REPORT)
C.A.No.2018/2007
SLP(C)No.1040/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
(FOR FINAL DISPOSAL)

SLP(C)No.4094/2007 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.4003/2008
SLP(C)No.11743/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
C.A.No.1080/2008 (With Prayer for Interim Relief and Office Report)
SLP(C)No.13104/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

(FOR FINAL DISPOSAL)

SLP(C)No.29726/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP)
SLP(C)No.10885/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

(8) [MOTOR VEHICLE ACT, 1988-SEC. 166/163-CLAIM FOR THE
12

DEATH OF DRIVER ALLEGING MURDER.]

C.A.No.3530/2006

C.A.No.2942/2006 (With Appln.(s) for withdrawal)
C.A.No.5799/2009 (With Prayer for Interim Relief and Office Report)
SLP(C)No.14689/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
C.A.No.3281/2009 (With Prayer for Interim Relief and Office Report)
SLP(C)No.17411/2005 (WITH APPLN.(S) FOR DELETION OF THE NAME OF RESPONDENT AND OFFICE REPORT) (FOR FINAL DISPOSAL)
SLP(C)No.1860/2008 (WITH APPLN.(S) FOR EXEMPTION FROM FILING O.T. AND SUBSTITUTED SERVICE AND WITH PRAYER FOR INTERIM RELIEF)
SLP(C)No.3715/2009 (With Office Report)
SLP(C)No.4308/2009 (WITH OFFICE REPORT)
C.A.No.3530/2006
SLP(C)No.5705/2009

(9) [DEATH OF EMPLOYEE DUE TO HEART ATTACK/NATURAL DEATH PARALYTIC ATTACK-WHETHER THE AWARD PASSED BY THE WORKMEN COMPENSATION COMMISSIONER FOR DIRECTING THE INSURANCE CO. TO PAY COMPENSATION IS JUSTIFIED.]

C.A.No.5249/2007 (With Prayer for Interim Relief and Office Report)
C.A.No.161/2009 (With Prayer for Interim Relief and Office Report)
C.A.No.163/2009 (With Office Report)

(10) [INSURANCE ACT, 1938,SEC.64VB -ACCIDENT PRIOR TO ISSUANCE OF POLICY-WHETHER THE COMPENSATION CLAIM IS SUSTAINABLE.]

C.A.No.6345/2009 (With Prayer for Interim Relief and Office Report)
C.A.No.6283/2008 (With Prayer for Interim Relief and Office Report)

(11) [WORKMEN'S COMPENSATION ACT, 1923-SEC.4A(3) AWARD OF INTEREST-WHETHER FROM THE DATE OF ACCIDENT OR FROM THE DATE OF AWARD]

SLP(C)No.22929/2009 (WITH OFFICE REPORT)
SLP(C)No.12355/2008 (WITH PRAYER FOR INTERIM RELIEF)
SLP(C)No.17017/2008(WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.20163/2008(WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.12796/2009 (WITH OFFICE REPORT)
SLP(C)No.22341/2009(WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.2538/2010 (WITH OFFICE REPORT)
SLP(C)No.2788/2009 (WITH APPLN.(S) FOR MODIFICATION OF COURT'S ORDER AND WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.1262/2010 (WITH OFFICE REPORT)
SLP(C)No.1256/2010 (WITH OFFICE REPORT)
SLP(C)No.10788/2009 (WITH OFFICE REPORT)

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SLP(C)No.15269/2008(WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.17538/2008
SLP(C)No.30084/2009(WITH OFFICE REPORT)
SLP(C)No.14409/2008(WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.10794/2009 (WITH OFFICE REPORT)
SLP(C)No.8693/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.6024/2009 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.22668/2009 (WITH OFFICE REPORT)
SLP(C)No.33844/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.25808/2009 (WITH OFFICE REPORT)
SLP(C)No.33826/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND OFFICE REPORT)
SLP(C)No.31078/2008 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
SLP(C)No.31215/2008 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE

REPORT)
SLP(C)No.1260/2010 (WITH OFFICE REPORT)
SLP(C)No.1255/2010 (WITH OFFICE REPORT)
SLP(C)No.13819/2009 (WITH PRAYER FOR INTERIM RELIEF)
SLP(C)...CC 1798/2009 (WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND
OFFICE REPORT)
SLP(C)No.23333-23338/2007 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)
SLP(C)No.23465-23470/2007 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT)
SLP(C)...CC 475/2009 (WITH APPLN.(S) FOR C/DELAYIN FILING SLP AND
OFFICE REPORT)
SLP(C)No.2635/2009 (WITH OFFICE REPORT)
C.A.No.7851-7852/2009 (WITH OFFICE REPORT)
SLP(C)No.13906/2009

(12) [MOTOR VEHICLE ACT,1988-SEC.166 DIRECTION OF MOTOR ACCIDENT
CLAIMS TRIBUNAL TO PAY THE AMOUNT OF THE COMPENSATION TO THE
LRS. OF DECEASED AND RECOVER THE SAME FROM INSURANCE
CO.-JUSTIFICATION THEREOF.]

SLP(C)No.12778-12779/2009 (WITH PRAYER FOR INTERIM RELIEF)
SLP(C)No.26353/2009(WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)
C.A.No.5027/2009
SLP(C)No.5004-5005/2008 (WITH APPLN.(S) FOR SUBSTITUTED SERVICE AND
DIRECTIONS)
SLP(C)No.20591/2005 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT) (FOR FINAL DISPOSAL)
SLP(C)No.19394/2005 (WITH PRAYER FOR INTERIM RELIEF AND OFFICE
REPORT) (FOR FINAL DISPOSAL)
SLP(C)No.33969/2009 (WITH OFFICE REPORT)
C.A.No.7120/2005 (With Office Report)

(13) [QUESTION OF COMPENSATION/ENHANCED COMPENSATION]

C.A.No.3865/2007
SLP(C)No.9936/2009

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Date: 15/02/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

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Mr. Anil Kumar Jha, Adv.

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Ms. Bharathi Raju, Adv.
Mr. N. Ganpathy, Adv.

Mr. Ansar Ahmed Chaudhry, Adv.

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

SLP(C) NO.11801-11804/2005
Registry to send notice and copy of order
dated 17th December 2009 to the 17 Insurance
companies. List SLP(C) No.11801-11804/2005 in the
end of March 2010.

All other matters

In the first instance, list only the matters
shown under category (5) [i.e. C.A. Nos. 6026-
6027/2007 etc.etc.] in the second week of March 2010
for hearing.

SLP(C) No.13819/2009 is not related to any
motor accident claim. The said SLP be delinked.

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(Ravi P. Verma)
Court Master

(M.S. Negi)
Court Master