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SLP(C)No. 18802 OF 2000  
Item No.204

Court No.6

Section IVA  
A/N MATTER

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.18802/2000

(From the judgement and order dated 28/07/2000 in MFA 659/94  
of The HIGH COURT OF KARNATAKA AT BANGALORE)

M. KUTTUPPAN

Petitioner (s)

VERSUS

K.P. RADHA & ORS.

Respondent (s)

( For Final Disposal )

Date : 25/04/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU  
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s) Mr. S.N. Bhat,Adv.

For Respondent (s) Mr. K.R. Nagaraja,Adv.  
Mr. A.P. Jain,Adv.  
Ms. E.R. Sumathy,Adv.

Mr. K.L. Nandwani,Adv.  
Mr. Sameer Nandwani,Adv.  
Mr. Debasis Misra,Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....J  
.SP2

Leave granted.

The appeal is dismissed in terms of the signed  
order. No costs.

.SP1

(Neena Verma)  
Court Master

(S. Malkani)  
Assistant Registrar

Signed order is placed on the file.

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.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp  
L.....T.....T.....T.....T.....T.....T.....T.....T.....R  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3752 OF 2003@@  
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC  
(@ Special Leave Petition (C) No.18802 of 2000)

M. Kuttuppan ..... Appellant

Versus

K.P. Radha & Ors. .... Respondents

O R D E R@@  
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.....L.....I.....T.....T.....T.....T.....T.....T.....J  
.SP2

Leave granted.

Heard learned counsel on either side.

In the light of the law laid down in the decision reported in New India Assurance Co. Ltd. Vs. Mandar@@  
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Madhav Tambe and Ors. (1996 (2) SCC 328), the conclusion@@  
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arrived at by the division bench of the Karnataka High Court in the judgment under challenge, exonerating the Insurance Company from liability, cannot be said to suffer any infirmity whatsoever to call for our interference at the instance of the appellant. The appeal, therefore, fails and shall stand dismissed. No costs.

.SP1

.....J.  
( DORAISWAMY RAJU )

New Delhi,  
April 25, 2003.

.....J.  
( D.M. DHARMADHIKARI )