

ITEM NO.4

COURT NO.8

SECTION IX

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

I N D I A

Petition(s) for Special Leave to Appeal (C)

No.35859/2014

(Arising out of impugned final judgment and order dated 20/06/2014
in WP No.2628/2013 passed by the High Court Of Bombay)

LIFE INSURANCE CORPORATION OF INDIA

Petitioner(s)

VERSUS

VITA PVT. LTD. & ANR.

Respondent(s)

(With appln. (s) for intervention & Impleadment)

WITH SLP(C) No.6677/2015 (With appln.(s) for exemption from filing
c/c of the impugned order and Office Report)
SLP(C) No.4112/2015 ((With Interim Relief and Office Report)

Date : 17/03/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s)

Mr. Salman Khurshid, Sr. Adv.
Mr. Harihar Bhave, Adv.
Ms. Shubhangi Tuli, Adv.
For M/s. Bhave And AssociatesMr. D.A. Dave, Sr. Adv.
Mr. Gaurav Goel, Adv.
Mr. Arup Banerjee, Adv.

For Respondent(s)

Mr. Gaurav Goel, Adv.

Ms. Anindita Pujari, Adv.
Ms. Sonakshi Malhan, Adv.
Mr. Santosh Kumar, Adv.Mr. Vikas Singh, Sr. Adv.
Mr. Mohinder Singh, Adv.
Mr. Vishnu Mehra, Adv.

Signature Not Verified

Ms. S. Ramamani, Adv.
Ms. Deepika Kalra, Adv.Digitally signed by
Sanjay Kumar

Date: 2015.03.18

10:33:11 IST

Reason:

Mr. Kapish, Adv.

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For Applicant (s) Mr. Sameer Parekh, Adv.
Mr. Viren Asar, Adv.
Ms. Aakanksha Nehra, Adv.UPON hearing the counsel the Court made the following
O R D E R

In these petitions, in fact, the ratio decided by the

two-Judge Bench of this Court in the case of Suhas H. Pokhale vs. Oriental Insurance Company Limited and its Estate Officer - 2014 (4) SCC 657, is contrary to the decision of the Constitution Bench rendered in the case of Ashoka Marketing vs. Punjab National Bank - 1990 (4) SCC 406. Therefore, these matters need to be heard by a three-Judge Bench.

Hence, the Registry is directed to place the record of these matters before the Hon'ble Chief Justice of India for constituting a three-Judge Bench.

Interim order to continue, if any.

Liberty is given to the parties to mention for early hearing.

(Sanjay Kumar-II)
Court Master

(Indu Pokhriyal)
Court Master