

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

Petitions for Special Leave to Appeal (C) Nos. 9653-9654/2018

(Arising out of impugned final judgment and order dated 30-11-2017 in CIMA No. 256/2014 and CIMA No. 257/2014 passed by the High Court of Jammu & Kashmir and Ladakh at Jammu)

NATIONAL INSURANCE COMPANY LTD.

Petitioner(s)

VERSUS

NAZIRA AND ORS. ETC.

Respondent(s)

Date : 13-04-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Ranjan Kumar Pandey, AOR
Mr. K.k Bhat, Adv.
Mr. Divyam Garg, Adv.

For Respondent(s) Mr. Sumit R. Sharma, AOR

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

Heard learned counsel for the petitioner-Insurance Company and perused the appeal papers.

The MACT through its award dated 22.10.2013 has awarded the sum of Rs.14,88,000/- in respect of the first claimant and Rs.8,41,000/- in respect of the 2nd claimant. The petitioner-Insurance Company claiming to be aggrieved was before the High Court contending that the claim could not have been granted, inasmuch as the deceased were gratuitous passengers and also the driver did not hold the appropriate license.

The High Court having referred to the same has taken note that the petitioner-Insurance Company has neither put forth such contention before the MACT in an appropriate manner nor tendered evidence. We see no error committed by the High Court so as to interfere with the impugned order.

The special leave petitions are, accordingly, dismissed.

Pending application(s) shall stand disposed of.

(RAJNI MUKHI)
COURT MASTER (SH)

(DIPTI KHURANA)
ASSISTANT REGISTRAR