

ITEM NO.89

COURT NO.1

SECTION XIV

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 (C) No(s). 12707/2014

(Arising out of impugned final judgment and order dated 27/11/2013 in MACA No. 495/2010 passed by the High Court Of Delhi At New Delhi)

UNITED INDIA INSURANCE CO. LTD.

Petitioner(s)

VERSUS

USHA AGGARWAL & ORS.

Respondent(s)

Date : 13/10/2015 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s)

Mr. Rajesh Kumar Gupta, Adv.

For Respondent(s)

Mr. Shakil Ahmed Syed, Adv.
Mr. S. S. Nehra, Adv.

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

The High Court, while modifying the award passed by the Motor Accident Claims Tribunal (for short 'the Tribunal'), has fastened the liability of payment of compensation on the insurance company with a direction to recover the same from the owner of the vehicle.

Learned counsel appearing for the claimant(s) would inform us that, pursuant to the direction issued by the High Court, the insurance company had already deposited the entire compensation awarded by the Tribunal and the claimants have withdrawn the same.

At this stage, we do not intend to permit the insurance company to recover the amount from the claimants. Accordingly, while confirming the order passed by the High Court, we grant liberty to the insurance company to recover the amount from the owner of the offending vehicle.

The Special Leave Petition is disposed of.

Ordered accordingly.

(G.V.Ramana)
AR-cum-PS

(Vinod Kulvi)
Asstt.Registrar