

ITEM NO.47

COURT NO.12

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 534/2020

**BAJAJ ALLIANZ GENERAL INSURANCE
 COMPANY PRIVATE LTD.**

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 121017/2022 - APPLICATION FOR EXEMPTION FROM PAYMENT OF
 COSTS, IA No. 52588/2020 - EX-PARTE AD-INTERIM RELIEF
 IA No. 140335/2022 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 121023/2022 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 152377/2022 - EXEMPTION FROM FILING O.T.
 IA No. 121014/2022 - INTERVENTION/IMPLEADMENT
 IA No. 140333/2022 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES)

Date : 01-10-2024 This matter was called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
 HON'BLE MR. JUSTICE ARAVIND KUMAR**

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

The learned Amicus Curiae has flagged three issues vide his report dated 07.09.2024. The first is with respect to the outer time limit for the eDAR mobile application, to go Live Pan-India, which is still at the trial stage. Unfortunately, there is no representation on behalf of the Union of India with respect to the same even at this stage.

The second issue is with respect to the insurance policy to be taken by the respective State Transport Corporations/State Governments for insurance coverage of their transport vehicles, or in the alternative, to create a corpus to meet liabilities. On the aforesaid issue, this Court has already issued some directions.

The third issue pertains to the application of TDS on the further interest liability over and above Rs.50,000/-, on the compensation awarded.

The learned Amicus, in his report, has highlighted the fact that four Special Leave Petitions are pending before this Court on the third issue, which are as follows:-

- SLP(C) No.20686/2015
- SLP(C) No.11080/2017

- SLP(C) No.17044/2021
- SLP(C) No.8394/2022

At the present stage, we have been informed that all these matters are pending before the Registry. The Registry is directed to take appropriate action on these matters, and thereafter, seek appropriate orders from Hon'ble the Chief Justice of India and post all the aforesaid matters before an appropriate Bench, so that a decision can be taken.

The learned Amicus has also informed this Court that, after making the Union of India and the Income Tax Department parties to the writ petition, a Division Bench of the High Court of Bombay has taken a view on the said issue, reported in 'Rupesh Rashmi Kant Shah Vs. Union of India', (2019) SCC Online Bom 1518, which according to the learned Amicus has attained finality. We would like to elicit a response from the Union of India and the Income Tax Department on this issue as well.

We deem it appropriate to take up all three issues on the next date of hearing.

List on 19.11.2024 at 2.00 P.M.

(SWETA BALODI)
COURT MASTER (SH)

(POONAM VAID)
COURT MASTER (NSH)