ìITEM NO.5 COURT NO.10 SECTION XII

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

Petition(s) for Special Leave to Appeal (Civil) No(s).3487/2011

(From the judgment and order dated 27/01/2010 in CMA No.1989/2005 of The HIGH COURT OF MADRAS)

K. SURESH Petitioner(s)

VERSUS

NEW INDIA ASSURANCE CO.LTD & ANR. Respondent(s)

(With appln(s) for c/delay in filing SLP and prayer for interim relief and office report)

Date: 01/03/2012 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE DEEPAK VERMA
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

For Petitioner(s) Mr. P.B. Suresh, Adv.
Mr. Vipin Nair, Adv.
For M/S. Temple Law Firm

For Respondent(s) Mr. Prikhshayat Singh, Adv.
Ms. Aishwarya Bhati, (AOR) (Not present)
Ms. Jyoti Upadhaya, Adv. (Not present)

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

Record shows that despite service on Respondent No.1 - New India Assurance Co. Ltd. (for short 'Insurance Company), none has filed Vakalatnama/ Memo of Appearance so far.

In the light of fact that liability has been fastened by the Motor Accidents Claims Tribunal as well as by the High Court on the Insurance Company, we deem it fit and proper to direct the Registry to issue fresh notice to Respondent No.1/Insurance Company to be fixed by it for a date after six weeks. The matter will be listed on the said date for which notice is issued to Respondent No.1/Insurance Company. Respondent No.2 is already represented by learned counsel - Ms. Aishwarya Bhati.

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In the meanwhile, if the Petitioner so desires, he may file the evidence of both the parties recorded before the Claims Tribunal.

(Sanjay Kumar-II)
Court Master

(S.S.R. Krishna)
Court Master