

Manager, Oriental Insurance Co. Ltd. vs Rajesh Devi on 5 July, 2023

Bench: Hima Kohli, Rajesh Bindal

ITEM NO.9

COURT NO.15

SECTION IV-C

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 13932/2023

(Arising out of impugned final judgment and order dated 02-09-2022 in MA No. 2793/2022 passed by the High Court Of M.P Principal Seat At Jabalpur)

MANAGER, ORIENTAL INSURANCE CO. LTD.

Petitioner(s)

VERSUS

RAJESH DEVI & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.119564/2023-CONDONATION OF DELAY IN FILING and IA No.119567/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.119568/2023-EXEMPTION FROM FILING O.T. and IA No.119565/2023-CONDONATION OF DELAY IN REILING / CURING THE DEFECTS)

Date : 05-07-2023 This petition was called on for hearing today.

CORAM : HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s)

Mr. Rajesh Kumar Gupta, AOR

For Respondent(s)

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

1. Application for condonation of delay in filing and refiling is allowed.

2. Learned counsel for the petitioner points out that the issue relating to the extent of deduction towards future expenses when one of the legal heirs of the deceased is an adult and an earning member of the family is subject matter of consideration in SLP(C) Nos.00509-00513/23 entitled as “Kunjal Jitendra Joshi Legal Heir of the Deceased Dr. Jitendra Prabhashankar Joshi vs. Tata AIG General Insurance Co.Ltd. And Ors.”, which is pending.

3. Issue notice. Dasti service, in addition, is permitted.

4. Tag with the captioned petitions.

5. Subject to the petitioner provisionally paying a sum of 8,00,000/- (Rupees Eight Lakhs) to the respondent nos. 1 & 2, operation of impugned judgment shall remain stayed.

(KAVITA PAHUJA)
COURT MASTER (SH)

(NAND KISHOR)
COURT MASTER (NSH)