

Kerala High Court

The New India Assurance Company ... vs Radhakrishnan on 30 August, 2010

IN THE HIGH COURT OF KERALA AT ERNAKULAM

MACA.No. 963 of 2008()

1. THE NEW INDIA ASSURANCE COMPANY LTD,
... Petitioner

Vs

1. RADHAKRISHNAN, S/O.KAMALASANAN,
... Respondent

2. JALADHARAN, KADAVILKATHU VEEDU,

3. R.BINU, D.R.BHAVAN, ARATTUKUZH, I,

For Petitioner :SMT.RAJI T.BHASKAR

For Respondent : No Appearance

The Hon'ble MR. Justice M.N.KRISHNAN

Dated :30/08/2010

O R D E R

M.N. KRISHNAN, J.

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M.A.C.A. NO. 963 OF 2008

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Dated this the 30th day of August, 2010.

J U D G M E N T

The contention raised in the appeal is that the pillion rider in a package policy is not covered as no wider premium is paid. In the light of the clarificatory circular dated 16.11.2009 issued by the Insurance Regulatory and Development Authority coupled with two Division Bench decisions of this Court reported in New India Assurance Co. Ltd. v. Hydrose (2008 (3) KLT 778) and Mathew v. Shaji Mathew (2009 (3) KLT 813) the learned counsel for the insurance company seeks permission to withdraw the appeal. Permission is granted. The appeal is dismissed as withdrawn.

M.N. KRISHNAN, JUDGE.

ul/-