

ITEM NO.43

COURT NO.15

SECTION IX

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 (C) No(s). 23440/2017

(Arising out of impugned final judgment and order dated 01-02-2017 in WP No. 2353/2003 passed by the High Court Of Judicature At Bombay At Aurangabad)

VIVID KARYAKARI SEVA SAHAKARI SOCIETY LIMITED

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 76246/2017 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 13-08-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s) Mr. B H Marlapalle, Sr. Adv.
Mr. Ajit Pravin Wagh, AOR
Ms. Astha Prasad, Adv.
Mr. Avinish Kr Saurabh, Adv.

For Respondent(s) Mr. K.M Nataraj, A.S.G.(NP)
Mr. Prahalad Singh, Adv.
Mr. Samar Veer Singh, Adv.
Mr. T.S. Sabarish, Adv.
Mr. Rajat Nair, Adv.
Mr. Anuj Srinivas Udupa, Adv.
Mr. S.n Terdol-aor, Adv.
Mr. Amrish Kumar, AOR

Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Ms. Preet S. Phanse, Adv.
Mr. Adarsh Dubey, Adv.

Mr. Vijay R. Datar, Sr. Adv.
Mr. Tuhin, AOR

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

1. This Special Leave Petition arises out of the judgment of the High Court in Writ Petition No.2353/2003 dated 01-02-2017 by which the writ petition filed by the Vivid Karyakari Seva Sahakari Society Limited, Hosur, Taluka Nilanga, District Latur was dismissed by the High Court.
2. Writ petitioner's claim for insurance was based on Clause 13A of the National Agricultural Insurance Scheme ["the Scheme" for short]. Having heard Mr. B.H. Marlapalle, learned Senior Counsel for the petitioner, we are of the opinion that irrespective of the applicability of the said clause, the petitioner has not made any application under Clause 13A of the Scheme. In view of the fact that there is no such application under Clause 13A, the occasion to consider indemnification in case of localised risks does not arise at all. In fact, there is no discussion whatsoever in the impugned order on the basis of the submissions made under Clause 13A of the Scheme. In this view of the matter, the judgment of the High Court cannot be faulted with.
3. In view of the above, the Special Leave Petition is dismissed.
4. Pending applications, if any, shall stand disposed of.

(INDU MARWAH)
AR-cum-PS

(NIDHI WASON)
COURT MASTER (NSH)