

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 33428/2018

(Arising out of impugned final judgment and order dated 28-03-2017 in SBCMA No. 3592/2011 passed by the High Court of Judicature For Rajasthan At Jaipur)

KAILASH CHAND MEENA

Petitioner(s)

VERSUS

SURESH YADAV & ORS.

Respondent(s)

(IA No. 171410/2018 - EXEMPTION FROM FILING O.T.

IA No. 113182/2019 - EXEMPTION FROM FILING O.T.)

Date : 14-08-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Mr. Niranjan Sahu, AOR  
Mrs. Prabhati Nayak, Adv.  
Mr. Umakant Misra, Adv.

For Respondent(s) Mr. Anuj Bhandari, AOR  
  
Mr. Debabrata Dash, Adv.  
Ms. Apoorva Sharma, Adv.  
Mr. Dhananjai Jain, AOR  
  
Mr. Jpn Shahi, Adv.  
Ms. Binisa Mohanty, AOR

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

The matter pertains to a motor accident claim raised in the hands of the present petitioner. An accident took place on 04.03.1997 which resulted in injury and 50 percent disability of the claimant. The matter before the Motor Accident Claim Tribunal was decided in favour of the claimant/petitioner and an award of compensation was passed of

Rs.14,89,060/- . The petitioner thereafter challenged the award before the High Court. The High Court came to the conclusion that the owner of the vehicle had not been heard at all by the Tribunal and consequently, the order was set aside and the matter was remanded back.

The High Court set aside the order in appeal for the reason that the owner of the vehicle was not heard. We see no fault in this order, the matter must be heard de novo by the Motor Accident Claim Tribunal, Jaipur.

Considering that it is an old matter, we request the tribunal to expedite the matter so that the petition can be heard at the earliest but definitely within a period of six months from the date, the records reached the tribunal.

The special leave petition is disposed of.

Pending application(s), if any, shall stand disposed of.

(NEETA SAPRA)  
COURT MASTER (SH)

(RENU BALA GAMBHIR)  
COURT MASTER (NSH)