

ITEM NO.3 Court 3 (Video Conferencing) 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 (C) No(s). 20061/2021

(Arising out of impugned final judgment and order dated 24-09-2021 in CMA No. 2768/2021 passed by the High Court of Judicature at Madras)

THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION LIMITED Petitioner(s)

VERSUS

SHANTHI & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.158836/2021-EXEMPTION FROM FILING O.T.)

Date : 11-01-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s) Mr. Amit Anand Tiwari, AAG
Mr. D. Kumanan, AOR

For Respondent(s)

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

The grievance of the petitioner is that the petitioner had challenged the finding of fact recorded by the Motor Accident Claims Tribunal on the factum of accident including that the petitioner's vehicle was not involved in the accident.

This contention, according to the learned counsel for the petitioner, has not been dealt with

by the High Court at all.

Although, such grievance has been made in the Special Leave Petition, it is not possible for us to disregard the record before us (impugned judgment of the High Court), which does not indicate this position.

As a result, it will be open to the petitioner to move the High Court by way of Review Petition/appropriate application, if so advised. That petition/application, if filed, be decided on its own merits in accordance with law. If the decision therein is adverse, the petitioner is granted liberty to challenge the same alongwith the impugned decision by way of a fresh Special Leave Petition.

The special leave petition and pending applications stand disposed of accordingly.

(NEETU KHAJURIA)
COURT MASTER

(RANJANA SHAILEY)
COURT MASTER