

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.830 OF 2017

Hasam Dinmamad Hingoraja

Appellant(s)

Versus

Haji Rahemtulla & Another

Respondent(s)

O R D E R

Heard Mr. Yadunandan Bansal, learned counsel for the appellant and Mr. M.J.S. Rupal, learned counsel for the respondent No.2.

In the course of hearing, a suggestion was given to the learned counsel for the appellant that the award passed by the tribunal should be restored as far as the amount is concerned. He has conceded to the said position. Learned counsel appearing for the insurer left it to the discretion of this Court.

Accordingly, it is directed that the amount awarded by the tribunal is restored. As the said amount has already been deposited, the appellant shall be permitted to withdraw the same on proper identification. If the amount has been deposited with interest, no further amount shall be paid.

The appeal is allowed to the extent indicated above. There shall be no order as to costs.

.....CJI.
[Dipak Misra]

.....J.
[Sanjay Kishan Kaul]

New Delhi
December 22, 2017.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.832 OF 2017

Fatmabai Abdula Hingorja

Appellant(s)

Versus

Haji Rahemtulla & Another

Respondent(s)

O R D E R

Heard Mr. Yadunandan Bansal, learned counsel for the appellant and Mr. M.J.S. Rupal, learned counsel for the respondent No.2.

In the course of hearing, a suggestion was given to the learned counsel for the appellant that the award passed by the tribunal should be restored as far as the amount is concerned. He has conceded to the said position. Learned counsel appearing for the insurer left it to the discretion of this Court.

Accordingly, it is directed that the amount awarded by the tribunal is restored. As the said amount has already been deposited, the appellant shall be permitted to withdraw the same on proper identification. If the amount has been deposited with interest, no further amount shall be paid.

The appeal is allowed to the extent indicated above. There shall be no order as to costs.

.....CJI.
[Dipak Misra]

.....J.
[Sanjay Kishan Kaul]

New Delhi
December 22, 2017.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.833 OF 2017

Abdulla Dinmamad Hingoraja
and Another

Appellant(s)

Versus

Haji Rahemtulla and Another

Respondent(s)

O R D E R

Heard Mr. Yadunandan Bansal, learned counsel for the appellants and Mr. M.J.S. Rupal, learned counsel for the respondent No.2.

In the course of hearing, a suggestion was given to the learned counsel for the appellants that the award passed by the tribunal should be restored as far as the amount is concerned. He has conceded to the said position. Learned counsel appearing for the insurer left it to the discretion of this Court.

Accordingly, it is directed that the amount is restored to Rs.2,04,000/-. As the said amount has already been deposited, the appellants, the legal representatives of the deceased claimant, shall be permitted to withdraw the same on proper identification. If the amount has been deposited with interest, no further amount shall be paid.

The appeal is allowed to the extent indicated above.
There shall be no order as to costs.

.....CJI.
[Dipak Misra]

.....J.
[Sanjay Kishan Kaul]

New Delhi
December 22, 2017.

ITEM NO.2

COURT NO.1

SECTION III

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

Civil Appeal No.830/2017

HASAM DINMAMAD HINGORAJA

Appellant(s)

VERSUS

HAJI RAHEMTULLA & ANR.

Respondent(s)

WITH C.A. No.832/2017 (III)
C.A. No.833/2017 (III)

Date : 22-12-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Appellant(s) Mr. Yadunandan Bansal, Adv.
Mr. Amit Kumar, Adv.
Mr. Abhijat P. Medh, AOR

For Respondent(s) Mr. M.J.S. Rupal, Adv.
Mr. Saurabh Prakash, Adv.
Mr. Mohinder Jit Singh, AOR

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

The appeals are allowed in terms of the signed
order.

(Chetan Kumar)
Court Master

(Jagdish Chander)
Court Master

(Signed orders are placed on the file)