

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL No.13683/2026
[Arising out of SLP(C) No.12610/2026]**

VINOD MANGALDAS SHAH & ORS.

APPELLANTS

VERSUS

**IFFCO TOKIO GENERAL INSURANCE
CO. LTD. & ORS.**

RESPONDENTS

O R D E R

1. Leave granted.
2. The Division Bench of the High Court of Judicature at Bombay¹ *vide* the impugned order dated 04th March, 2026 has disposed of an interim application² in an appeal³ carried by the insurer-respondent no.1 under Section 173 of the Motor Vehicles Act, 1988, from an award of the relevant Motor Accidents Claims Tribunal, by making certain directions without even issuing notice to the claimants/appellants, who are the respondents in such appeal.
3. Disposal of an interim application without notice to the opponent is something which is rather unusual. The High Court has proceeded in clear breach of principles of natural justice; hence, the impugned order insofar as it records disposal of the interim application stands set aside. Consequently, the interim application shall stand revived on the file of the High Court. We request the roster Bench of the High Court to rehear the

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MANIK KUMAR
Date: 2026.10.13
13:23:19 IST
Reason: 

1 High Court

2 I.A. No.1671 of 2026

3 First Appeal No.194 of 2026

interim application in the presence of the claimants/appellants.

4. Having regard to the age of the first appellant⁴ (he is 87 years old) who has lost his son in the fatal road accident, we request the roster Bench of the High Court to decide the interim application in terms of this order as expeditiously as possible, and preferably by the end of December, 2026.

5. We record that a sum of Rs.5 crore in terms of the impugned order has been made over to the claimants/appellants. Whether or not the insurer-respondent no.1 should be made liable to pay any further sum to the claimants/appellants out of the sum awarded may be decided by the High Court in accordance with law. All contentions and objections on merits are left open.

6. The civil appeal is, accordingly, disposed of.

7. Pending application(s), if any, shall also stand closed.

.....J.
[DIPANKAR DATTA]

.....J.
[SHEEL NAGU]

**NEW DELHI;
OCTOBER 12, 2026.**

ITEM NO.50

COURT NO.6

SECTION III

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

Petition for Special Leave to Appeal (C) No.12610/2026

[Arising out of impugned final judgment and order dated 04-03-2026 in IA No.1671/2026 in First Appeal No.194/2026 passed by the High Court of Judicature at Bombay]

VINOD MANGALDAS SHAH & ORS.**Appellants****VERSUS****IFFCO TOKIO GENERAL INSURANCE CO. LTD. & ORS.****Respondents****I.A. No.104503/2026-ADDITION/DELETION/MODIFICATION PARTIES****I.A. No.104502/2026-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT****I.A. No.104504/2026-EXEMPTION FROM FILING O.T.****I.A. No.255790/2026-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ ANNEXURES****Date : 12-10-2026 This matter was called on for hearing today.**

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SHEEL NAGU

For Appellant(s) : Mr. Ravindra Keshavrao Adsure, AOR
Mr. Sanjay Ashok Raut, Adv.
Mr. Yash Prashant Sonavane, Adv.
Ms. Priya Rath, Adv.
Ms. Vishwabharati Vitthal Devkhile, Adv.

For Respondent(s) : Mr. Vipin Sanghi, Sr. Adv.
Mr. Sidharth Pushya, Adv.
Mr. Shubham Singh, Adv.
Mr. Gopal Singh- 211, AOR

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

1. Leave granted.
2. The civil appeal is disposed of in terms of the signed order.
3. Pending application(s), if any, also stand closed.

(MANIK KUMAR)
SENIOR PERSONAL ASSISTANT

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

(signed order is placed on the file)