

ITEM NO.301

COURT NO.9

SECTION XI-A

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). 5582/2023

[Arising out of impugned final judgment and order dated 19-05-2022 in MACA No. 324/2021 passed by the High Court of Orissa at Cuttack]

THE ORIENTAL INSURANCE CO. LTD.

Petitioner(s)

VERSUS

TUNI PATI & ORS.

Respondent(s)

IA No. 41711/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 41716/2023 - EXEMPTION FROM FILING O.T.

WITH

C.A. No. 6865/2026 (XII-B)

Date : 23-09-2026 These matters were called for hearing today.

CORAM : HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) : Mr. H. Chandra Sekhar, AoR

Mr. Manu Luv Shahalia, Adv.
Ms. Manjeet Chawla, AoR
Ms. Jyoti, Adv.
Ms. Usha Pant Kukreti, Adv.

For Respondent(s) : Ms. Renuka Sahu, AoR
Mr. Shivam Singh, Adv.
Mr. Saurabh Bhardwaj, Adv.

Mr. Goutham Shivshankar, AoR
Mr. G. Balaji, AoR
(For R1)

Ms. Rupali Francesca Samuel, AoR
Mr. Aradhya Trivedi, Adv.

Mr. Guntur Pramod Kumar, AoR
Ms. Prerna Singh, Adv.
Mr. Dhruv Yadav, Adv.
(For R5 - State of Andhra Pradesh)
Ms. Devina Sehgal, AoR

Mr. Srikanth Varma Mudunuru, Adv.
(For R24 - State of Telangana)

Mr. Anil Kaushik, ASG
Mr. Gurmeet Singh Makker, AoR
Mr. Pranjal Singh, Adv.
Ms. Disha Thakkar, Adv.
Mr. Piyush Beriwal, Adv.
Mr. A.A. Pandey, Adv.
(For R105 - Ministry of Finance through
Secretary, Union of India)

Ms. Akansha, AoR
Ms. Eliza Barr, Adv.
Ms. Anjali Saxena, Adv.
Mr. Govind Sharma, Adv.
Mr. Saanil Patnayak, Adv.
(For R6 - State of Arunachal Pradesh)

Ms. Diksha Rai, AoR
Mr. Samir Ali Khan, AoR

Mr. Vinayak Sharma, Standing Counsel, Adv.
Mr. Yashvardhan Shah, Adv.
Ms. Kavyayani N Singh, Adv.
Mr. Ravinder Kumar Yadav, AoR
(For R9 - State of Chhattisgarh)

Ms. Swati Ghildiyal, AoR
Ms. Aditi Agarwal, Adv.
Ms. Sonakshi Sinha, Adv.

Mr. Surjeet Singh, Adv.
Mr. Harmeet Singh Ruprah, AoR
Mr. Kanishk Sharma, Adv.
Mr. Sidhartha Shrivastava, Adv.
(For State of Madhya Pradesh)

Ms. Pallavi Langar, AoR
Mr. Sujeet Kumar Chaubey, Adv.
Ms. Anushka Raghunath, Adv.
(For R14 - State of Jharkhand)

Mr. Kunal Vajani, A. A. G.
Mr. Sanchit Garga, AoR
Mr. Kunal Rana, Adv.
Mr. Shashwat Jaiswal, Adv.
Ms. Diksha Arora, Adv.
Mr. Bhanu Pratap Singh, Adv.
Mr. Guneet S. Sidhu, Adv.
Mr. Amitoj Chadha, Adv.
Mr. Vijender Kumar, Adv.
(For R15 - State of Karnataka)

Mr. James P. Thomas, AoR
Mr. Ravi Sagar, Adv.
Ms. Glorina George, Adv.

Mr. Aaditya Aniruddha Pande, AoR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Shrirang B. Varma, Adv.
Mr. Sourav Singh, Adv.
Ms. Chitransha Singh Sikarwar, Adv.
(For R18 - State of Maharashtra)

Mr. Pukhrambam Ramesh Kumar, AoR
Mr. Karun Shamra, Adv.
Ms. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.
(For State of Manipur)

Mr. Amit Kumar, Advocate General
Mr. Avijit Mani Tripathi, AoR
Mr. Z. H. Isaac Haiding, Adv.
Mr. Daniel Lyngdoh, Adv.
Mr. T. K. Nayak, Adv.
Ms. Marbiang Khongwir, Adv.
(For the State of Meghalaya)

Mr. Anando Mukherjee, A. A. G.
Mr. Anando Mukherjee, AoR
Mr. Shwetank Singh, Adv.
Mr. Utkarsh Anand, Adv.
(For State of Mizoram)

Ms. K. Enatoli Sema, AoR
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.
Ms. Yanmi Phazang, Adv.
(For R81 - National Insurance Co. Ltd.)
(For R88 - Tata AIG Gen. Ins. Co. Ltd.)
(For R91 - United India Ins. Co. Ltd.)
(For R94 - Kiwi Gen. Ins. Co. Ltd.)

Mr. Pitambar Acharya, Advocate General
Mr. Srisatya Mohanty, AoR
Ms. Sakshi Mittal, Adv.
Mr. Jyotiraditya Roychowdhury, Adv.

Ms. K. Enatoli Sema, AoR
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.
(For R22 - State of Nagaland)

Mr. Mohd. Irshad, A. A. G.
Ms. Abha Sharma, AoR

Mr. Basava Prabhu S Patil,
Adv. Gen. for State Of Sikkim, Sr. Adv.
Mr. Sameer Abhyankar, AoR
Mr. Krishna Rastogi, Adv.
Mr. Aryan Srivastava, Adv.
Mr. Samarth Kashyap, Adv.
Mr. Arijeet Shukla, Adv.

Ms. Ruchira Goel, AoR
Mr. Sharanya, Adv.
Ms. Isha Sharma, Adv.
Mr. Harsh Pratap Shahi, Adv.
(For the State of U.P.)

Mr. Adarsh Chamoli, AoR

Mr. Mukesh Kr. Verma, Adv.
Ms. Indira Bhakar, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Varun Chugh, Adv.
Mr. Mukul Singh, Adv.
Mr. Yogesh Vats, Adv.
Mr. Shreekant Neelappa Terdal, AoR
Mr. Anil Kaushik, A. S. G.
Mr. Pranjal Singh, Adv.
Ms. Disha Thakkar, Adv.
Mr. Piyush Beriwal, Adv.
Mr. A A Pande, Adv.
Mr. Vineet Singh, Adv.
(For R34 - UT of Andaman & Nicobar Island)

Mr. Anil Kaushik, ASG
Mr. Pranjal Singh, Adv.
Ms. Disha Thakkar, Adv.
Mr. Piyush Beriwal, Adv.
Mr. A.A. Pandey, Adv.
Ms. Anju Kaushik, Adv.
Mr. Sudarshan Lamba (aor), Adv.
(For R106 - UOI/Ministry of Road Transport & Highways)

Mr. Krishna Kant Dubey, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Varun Chug, Adv.
(For R35 - UT of Chandigarh)

Mr. Parth Awasthi, Adv.
Ms. Simran Sharma, Adv.
Ms. Deepika Gupta, Adv.
Mr. Pashupathi Nath Razdan, AoR

Mr. Aravindh S., AoR
Ms. Anika Bansal, Adv.
Mr. Vansh Malik, Adv.

Mr. Brijesh Kumar Tamber, AoR
Mr. Vinay Singh Bist, Adv.
Mr. Yashu Rustagi, Adv.
Mr. Sahas Bhasin, Adv.
Ms. Chanchala Kumari, Adv.
Mr. Dhimaan Dutta, Adv.
(For R41)

Ms. Udit Singh, AoR
(For R42 & 100)

Mr. Sanjay K Chadha, Adv.
Mr. Amaditya, Adv.
Mr. Dharmendra Kumar Sinha, AoR
(For R44, 45 & 95)

Mr. Joydeep Bhattacharya, Adv.
Mr. Sarath S Janardanan, AoR
Ms. Ipsita, Adv.
Ms. Namita Kumari, Adv.
Ms. Vishnupriya P Govind, Adv.

Mr. Piyush Singhal, Adv.
Ms. Srishti Prabhakar, AoR
Mr. Ishpreet Singh, Adv.
Mr. Nishant Bishnoi, Adv.

Ms. Shweta Singh Parihar, AoR
Mr. Sarthak Sharma, Adv.
Mr. Ashwin Bhadriya, Adv.
(For PNB Metlife India Insurance Company Ltd.)

Mr. Anuj Bhandari, Adv.
Mr. Anuj Bhandari, AoR
(For R52)

Mr. Zakir Hussain, AoR
Mr. Hitesh Kumar, Adv.
Ms. Sapna, Adv.
Mr. Suraj Rawat, Adv.
(For R54)

Mr. Ali Khan, Adv.
Mr. Aman Malik, AoR

Mr. Piyush Singhal, Adv.
Mr. Saurabh Upadhyay, Adv.
Mr. Manish Chaurasia, Adv.

Mr. Ishpreet Singh, Adv.
Ms. Mansi Sharma, Adv.
Mr. Ajit Kumar, Adv.
Ms. Sanya Narula, Adv.
Ms. Hardikaa Kalia, AoR

Mr. Rajesh Kumar Chaurasia, AoR
Mr. Anurag Jain, Adv.
Mr. Jaideep Singh Sethi, Adv.
Mr. Nitin Kumar Gupta, Adv.
Mr. Gaurav Gupta, Adv.
Mr. Rohit Rattu, Adv.
Mr. Sujeet Kumar, Adv.
Mr. Onkar Prasad, Adv.
Mr. Surya Pratap, Adv.
Mr. Akhilesh Panday, Adv.
(For R43, 46, 58, 60, 61 & 63)

Mr. Daga Sachin Subhash, AoR
Ms. Shreyashi Panda, Adv.

Mr. Kailas Bajirao Autade, AoR

Mr. Manik Ahluwalia, AoR
Mr. Harpreet Singh, Adv.

Ms. Anuja Pethia, AoR
Mr. Rishabh Nigam, Adv.
Mr. Rishabh Govila, Adv.
Ms. Kshirja Agarwal, Adv.
Ms. Amisha Aggarwal, Adv.
Ms. Nanki Cheema, Adv.

Ms. Puja Dewan, AoR
Mr. Anand Prakash, Adv.
Mr. Uday Seth, Adv.
(For R71)

Mr. Rajat Khattry, Adv.
Mr. Siddhartha Iyer, AoR
(For R92)

Mr. Rajat Khattry, Adv.
Mr. Devarajan V, Adv.
Mr. Abhay Kumar, AoR
(For R48, 70, 72 and 86)

Mr. Suraj Raj, Adv.
Mr. Karun Sharma, Adv. & AoR
(For R93 - Zuno General Insurance)

Mr. H. Chandra Sekhar, AoR
Mr. Jadhav Vishal, Adv.

(For R90 & 102)

Mr. Rajeev Maheshwaranand Roy, AoR
(For R73, 74, 80, 83, 84 & 107)

Mr. Rajeev Maheshwaranand Roy, AoR
Mr. Suraj Raj, Adv.
(For R75)

Mr. Shoeb Alam, Sr. Adv.
Mr. Rajeev Maheshwaranand Roy, AoR
(For R66, 103)

Mr. Rajeev M. Roy, AoR
Mr. P. Srinivasan, Adv.
Mr. Shivam Madhur, Adv.
(For R77)

Mr. Shubham Janghu, Adv.
Mr. Yoshit Jain, Adv.
Mr. Gopal Singh, AoR
(For R76)

Mr. Lokesh Sinhal, Sr. AAG
Mr. Samar Vijay Singh, AoR
Ms. Sabarni Som, Adv.
Mr. Aman Dev Sharma, Adv.
Mr. Gag. Singh Jaswal, Adv.
(For R12 - State of Haryana)

Mr. Vishal Meghwal, AoR

Mr. Amit Kumar Singh, AoR
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.

Mr. Ranjit Kumar, Sr. Adv.
Mr. Abhay Chattopadhyay, Adv.
Mr. Abhishek Kr. Shrivastava, Adv.
Mr. Kumar Shubham, Adv.
Mr. Vaibhav Goyal, M.D. (In-Person)
Mr. Vishnu Kant, AoR
(For R82)

Mr. Abhishek Kumar Gola, Adv.
Mr. Sudhir Naagar, AoR
Mr. Anshul Mehral, Adv.
Mr. Vikrant Mehta, Adv.
Mr. Anshul Bedi, Adv.
Mr. Kunal Chaudhary, Adv.
Mr. Ankit Bhadana, Adv.

Ms. Awantika Manohar, AoR
Ms. Parul Dhurvey, Adv.
Ms. Parul Shukla, Adv.
(For R89 - New India Assurance Co. Ltd.)

Mr. Rajat Khattry, Adv.
Mr. Siddhartha Iyer, AoR
Ms. Jaispriya Poply, Adv.
Mr. Aman Gupta, Adv.

Mr. Karun Sharma, AoR

Mr. Pankaj Seth, Adv.
Ms. Manjeet Chawla, AoR
Ms. Jyoti, Adv.
Ms. Sheetal Sharma, Adv.
Ms. Shruti Jain, Adv.

Ms. M.B. Ramya, Adv.
Mr. Arindam Ghosh, AoR
(For R97- Galaxy Health Insurance Co. Ltd.)

Mr. Vivek Chib, Sr. Adv.
Mr. Shivendra Singh, AoR
Mr. Siddharth Sunil, Adv.
Ms. Aryama Singh Rajput, Adv.
Mr. Udai V. S. Rathore, Adv.

Mr. Dheeraj Nair, AoR
Mr. Varghese Thomas, Adv.
Ms. Padmaja Kaul, Adv.
Mr. Kushagra Sah, Adv.
Mr. Azeem Parvez, Adv.
Ms. Yashodhara Singh, Adv.

Mr. Shishir Mathur, Adv.
Ms. Anshul Singh, Adv.
Ms. Preeti Gupta- 2947, AoR
Mr. Amit Anand Daspande, Adv.

Mr. H. Chandra Sekhar, AoR

Mr. N. Venkatraman, A. S. G.
Mr. Mayank Sapra, AoR
Ms. Lalima Das, Adv.
Mr. Abhi Sharma, Adv.

Mr. Pitambar Acharya, Advocate General, Odisha
Mr. Srisatya Mohanty, AoR
Ms. Sakshi Mittal, Adv.
Mr. Jyotiraditya Roychowdhury, Adv.

O R D E R

Heard Mr. Ranjit Kumar, learned Senior Counsel, appearing on behalf of respondent No. 82, Navi General Insurance Limited submits that he has filed an affidavit in terms of the previous order.

2. Filing of the affidavit was necessitated in the background of the fact that on 6th April 2026, this Court had issued notice to the said respondent, but on 26th May 2026, there was no representation and the Court had ordered that all the respondents who had not entered appearance, the CMDs of those companies shall remain personally present on the next date, which was indicated as 30th July 2026. However, when the matter was taken up on 17th August 2026, despite it being a fact that till 26th May 2026, there had been no appearance on behalf of respondent No. 82, as per the order, he had to be physically present before the Court. That not being done, the Court on 17th August 2026 directed the respondent No. 82 along with respondents No. 45, 64, 77, 79, 89, 93, 94, 95, 98, 100, 102 and 103 to appear before this Court to file their personally affirmed affidavit.

3. Today, in the affidavit filed, it has been stated that the notice pursuant to the order of this Court dated 6th April 2026 was received in the institution on 18th April 2026, but was somehow not brought to the notice of the officers and was never processed, for which certain persons who were responsible have also been suspended.

4. At this juncture, when the Court wanted to know the current status of the action against such officials who are set to be under

suspension, the answer by the Managing Director himself is that it was a *bona fide* error on their part.

5. We are shocked at this response by the Managing Director that without even issuing any notice to the person concerned, he himself has assumed that it was a *bona fide* error.

6. We note that apology has been tendered in the affidavit but we outright reject the said apology as it is only cosmetic and not heartfelt, for the reason that conduct speaks for itself, and by the conduct of the said respondent, when no action at all has been taken against the person who may be responsible for non-processing of the notice of this Court in such a serious matter, the apology deserves to be rejected and is so done. Accordingly, notice in contempt is issued to Mr. Vaibhav Goyal, the Managing Director/Chief Executive Officer of Navi General Insurance Limited. The respondent shall show cause as to why appropriate action for contempt of the order of this Court be not taken against him. The respondent shall file his personal affidavit showing cause. However, personal appearance of the respondent is dispensed with, for the present.

7. We find that the following respondents have not appeared before the Court even today: respondent No. 45 - Kotak Mahindra Life Insurance Company Limited; respondent No. 64 - Credit Access Life Insurance Limited; respondent No. 77 - Zurich Kotak General Insurance Company (India) Limited; respondent No. 89 - The New India Assurance Company Limited; respondent No. 93 - Zuno General Insurance Ltd.; respondent No. 95 - Aditya Birla Health Insurance Co. Ltd.; and respondent No. 102 - General Insurance Corporation of

India. Accordingly, notice in contempt is also issued against them. On the next date, they shall file their affidavits showing cause as to why the Court may not proceed against them and pass appropriate orders for committing contempt of this Court. However, personal appearance of the respondents is dispensed with, for the present, except respondent No. 93.

8. Compliance affidavit has been filed by Mr. Parag Ved, whole-time Director and Chief Executive Officer of respondent No. 79, Liberty General Insurance Limited. His stand is that on 17th August 2026, he had booked a flight from Mumbai to Delhi. A copy of the ticket is annexured to the said affidavit, which indicates that the flight was to depart from Mumbai at 8:00 a.m. and reach Delhi at 10:20 a.m. However, it has been submitted that due to circumstances beyond his control, he had missed the flight and thus could not be physically present.

9. Having considered the same, we find that the reason for non-appearance is *bona fide*. Accordingly, accepting the unconditional apology tendered by him, the issue relating to the present contempt is closed against him.

10. With regard to respondent No. 89, the New India Assurance Company Limited, there is no explanation as to why the CMD/Chief Executive Officer of the said company is not present. Accordingly, notice in contempt is issued to the said respondent. The respondent shall show cause as to why appropriate action for contempt of the order of this Court be not taken. The respondent shall file an affidavit showing cause. Personal appearance of the respondent is dispensed with.

11. With regard to respondent No. 64, Credit Access Life Insurance Limited, the CMD/Chief Executive Officer is not present. It is submitted by learned counsel that the post of CMD is vacant. We find that there is no explanation as to why appearance was not entered on behalf of respondent No. 64. The person heading the concerned insurance company is directed to initiate appropriate proceedings against the persons responsible for the same and bring on record by way of an affidavit personally affirmed by the person who is currently in charge of the affairs of the said insurance company showing the fixing of responsibility and action taken against the person responsible for non-compliance with the order of the Court for which the Court had to pass a strict order for appearance of the CMD.

12. With regard to respondent No. 77, Zurich Kotak General Insurance Company (India) Limited, Mr. Alok Kumar Agarwal, the Managing Director & Chief Executive Officer, is present in Court. Learned counsel submits that on 26th May 2026, inadvertently, the name of the respondent has been arrayed as a party which had not complied with the direction given by the Court on 6th April 2026, though learned had marked his appearance.

13. Having regard to the aforesaid, the present issue against respondent No. 77, Zurich Kotak General Insurance Company (India) Limited stands closed.

14. Regarding respondent No. 79, on a query as to why, despite the order dated 6th April 2026, directing for entering appearance, the same was not done by 26th May 2026, the response is that they are not even aware as to when actual notice was served. We find such

explanation to be absolutely not worth even consideration for the reason that if the CEO is unaware of what is happening in his company, that too in a matter where there is an order of this Court, we find there has been total casualness and lack of responsibility shown on behalf of Mr. Parag Ved, Whole time Director and Chief Executing Officer. Accordingly, notice in contempt is issued to the said respondent. The respondent shall show cause as to why appropriate action for contempt of this Court be not taken. The respondent shall file an affidavit showing cause. However, personal appearance of the respondent is dispensed with, for the present.

15. With regard to respondent No. 93, Zuno General Insurance Limited, its Managing Director and Chief Executive Officer, Ms. Shubhdarshini Ghosh, is present. She has also filed an affidavit which is purported to be in compliance with the order dated 17.08.2026. We take strong objection to the averments made in the said affidavit. For ready reference, the entire affidavit is reproduced hereinunder:

"AFFIDAVIT OF MANAGING DIRECTOR & CHIEF EXECUTIVE OFFICER OF RESPONDENT - NO. 93 - ZUNO GENERAL INSURANCE LIMITED, IN COMPLIANCE WITH THE ORDER DATED 17.08.2026

I, Shubhdarshini Ghosh, aged about 52 years, daughter of Mr. Subrata Ghosh, presently serving as the Managing Director & Chief Executive Officer of Zuno General Insurance Limited (impleaded as Respondent No. 93 in the present matter) ("Zuno"/"the Company"), having its registered office at 2nd Floor, Tower 3, Wing B, Kohinoor City Mall, Kohinoor City, Kirol Road, Kurla (West), Mumbai - 400070, Maharashtra, India, do hereby solemnly affirm and declare as under:

1. I am the Managing Director & Chief Executive Officer of Respondent No. 93 - Zuno General Insurance Limited and am well acquainted with the facts and circumstances of the present matter. I am competent and duly authorised to swear

and affirm the present affidavit on behalf of the Respondent Company.

2. I am filing the present affidavit pursuant to the order dated 17.08.2026 passed by this Hon'ble Court, whereby this Hon'ble Court has been pleased to direct the deponent herein, to show cause by filing a personally affirmed affidavit as to why the directions of this Hon'ble Court requiring their physical presence were not complied with.

3. At the outset, I most respectfully submit that I hold the orders and directions of this Hon'ble Court in the highest regard and have never intended, either personally or on behalf of the Respondent Company, to disregard, disobey or otherwise undermine any direction issued by this Hon'ble Court.

4. I respectfully crave leave to place on record the circumstances leading to the Respondent Company's non-appearance on 26.05.2026, which have also been set out in detail in the earlier Additional Affidavit filed on behalf of Respondent No. 93. For completeness and to place the entire sequence of events before this Hon'ble Court, I briefly reiterate the same herein:

a) The Respondent Company could not enter appearance before this Hon'ble Court on 26.05.2026 as the Company had no knowledge whatsoever of the present proceedings prior thereto. The notice issued by this Hon'ble Court in the present matter was received by the Respondent Company only on 13.06.2026 (for the first time), and it was only upon receipt thereof that the Company became aware of the pendency of the present proceedings as well as the orders passed by this Hon'ble Court. The proof evidencing receipt of the notice by the Respondent Company on 13.06.2026 was annexed with the earlier affidavit as Annexure R-93/2 and is also annexed herewith as Annexure R-93/3.

b) The Respondent Company's non-appearance on 26.05.2026 was neither deliberate nor intentional. Since the Company had not received the notice prior to the said date and had no knowledge of the proceedings, there was no occasion for the Company to arrange for its appearance before this Hon'ble Court.

c) Immediately upon receipt of the notice on 13.06.2026, the Respondent Company took prompt steps to engage counsel, obtain the necessary information and documents, and ensure due compliance with the directions of this Hon'ble Court.

d) In the earlier affidavit dated 24.07.2026, I had also sincerely regretted the circumstances which had resulted in the Respondent Company's non-appearance on 26.05.2026 and had respectfully tendered an apology to this Hon'ble Court for any inconvenience caused thereby. It was specifically submitted that there was neither any intention to disregard the authority of this Hon'ble Court nor any deliberate or

willful non-compliance with its orders.

e) In the aforesaid circumstances, and keeping in view the circumstances stated above, the Respondent Company had respectfully prayed that the earlier affidavit be treated as its explanation/show-cause in respect of the non-appearance on 26.05.2026 and that the same be accepted by this Hon'ble Court.

5. It is respectfully submitted that, thereafter, the matter was scheduled to be taken up on 30.07.2026, on which date I was required to remain personally present before this Hon'ble Court pursuant to the directions contained in the order dated 26.05.2026. However, unfortunately, the matter was not listed for hearing on 30.07.2026. Thereafter, there was no intimation to the Respondent Company or to the undersigned regarding the next date on which the matter would be taken up.

6. On 12.08.2026, the Respondent company was informed by the counsel that the cause list for 17.08.2026 has been released and the present matter would be listed before this Hon'ble Court on 17.08.2026.

7. I respectfully submit that the learned counsel appearing for the Respondent Company informed me immediately upon becoming aware of the listing of the matter on 17.08.2026 and specifically brought to my attention the requirement of my physical presence before this Hon'ble Court.

8. Upon receiving the aforesaid information, I immediately checked my official calendar and commitments. It was then noticed that I had several pre-scheduled and time-sensitive official commitments in Mumbai around 17.08.2026, which required my personal presence and participation in my capacity as the Managing Director & Chief Executive Officer of the Respondent Company. These commitments had been scheduled prior to my being informed on 12.08.2026 that the matter would be taken up on 17.08.2026.

9. I respectfully submit that, having regard to the nature and timing of the aforesaid pre-scheduled official commitments, it was extremely difficult to defer, reschedule or otherwise rearrange the same. The commitments involved the participation and coordination of other senior officers and stakeholders and could not, in the circumstances, be altered without causing substantial disruption to the Company's scheduled affairs.

10. I respectfully submit that, in view of the aforesaid pre-existing and time-sensitive official commitments in Mumbai, coupled with the very short interval of only five days between the intimation of the listing on 12.08.2026 and the date fixed for hearing on 17.08.2026, I found it extremely difficult, despite my best efforts, to make the necessary arrangements to travel to Delhi and be physically present before this Hon'ble Court on 17.08.2026.

11. I respectfully submit that, in these circumstances, and with the bona fide intention of ensuring that I nevertheless remained available to this Hon'ble Court and that there was no absence on my part from the proceedings, I appeared before this Hon'ble Court through virtual mode on 17.08.2026.

12. I respectfully acknowledge that the order dated 26.05.2026 had contemplated my physical presence before this Hon'ble Court and that virtual appearance was not the mode contemplated by the said order. I deeply regret that, owing to the aforesaid circumstances, I could not be physically present on 17.08.2026.

13. I most respectfully submit, however, that my appearance through virtual mode on 17.08.2026 was not with any intention to disregard or circumvent the direction of this Hon'ble Court. On the contrary, my decision to appear virtually was prompted by my understanding to remain present and available before this Hon'ble Court despite the unavoidable difficulty in travelling to Delhi on account of the pre-scheduled and crucial meetings in Mumbai.

14. I respectfully submit that there has been no willful, deliberate or contumacious disobedience of the directions of this Hon'ble Court. At no stage was there any intention on my part to evade the proceedings, avoid the jurisdiction of this Hon'ble Court, or show any disrespect to the directions issued by this Hon'ble Court.

15. I further respectfully submit that the Respondent Company and I have, throughout, acted in a bona fide manner and have endeavored to comply with the directions of this Hon'ble Court.

16. I sincerely regret that the circumstances resulted in my not being physically present before this Hon'ble Court on 17.08.2026, notwithstanding my appearance through virtual mode.

17. In the aforesaid facts and circumstances, I most respectfully pray that this Hon'ble Court may graciously be pleased to accept the present affidavit as my explanation in response to the direction contained in paragraph 19 of the order dated 17.08.2026.

18. I further most respectfully pray that, considering the bona fide circumstances explained hereinabove this Hon'ble Court may kindly refrain from issuing any show-cause/contempt notice or taking any further action against the deponent in respect of the aforesaid circumstances.

DEPONENT

VERIFICATION

I, the above-named deponent, do hereby verify that the

contents of paragraphs 1 to 18 of the above affidavit are true and correct to my knowledge derived from the official records maintained by the Company in the ordinary course of business and from information received from the officers concerned, which I believe to be true. No part of this affidavit is false and nothing material has been concealed therefrom.

Verified at Mumbai on this 18th day of September 2026.

DEPONENT"

16. The Court takes strong exception to the statements made in paragraphs No. 6, 7, 8, 9, 10, 11, 12, 13 and 14. We are also surprised as to how such defence is taken and justification sought for her non-appearance which basically, as per the affidavit, is on the ground that the Officer had a pre-scheduled official engagement and it was extremely difficult to defer, reschedule or otherwise rearrange the same, despite the fact that she has admitted that notice of her appearance on 17.08.2026 had been received and she was aware of it on 12.08.2026 itself, i.e., five days prior to the said date.

17. At this juncture, she submits that she be permitted to withdraw all affidavits filed by her and seeks indulgence of the Court to file a fresh affidavit. Having regard to the aforesaid, by way of extraordinary indulgence, an opportunity is given to her to file a fresh affidavit. However, she shall be personally present on the next date of hearing.

18. With regard to respondent No.94-Kiwi General Insurance Limited, an affidavit has been filed by Mr. Saurav Jaiswal, its Managing Director and Chief Executive. Besides tendering his "deepest, most sincere, and unreserved apology for the non-appearance and non-representation", he has also stated that the

Company itself was given licence in March, 2026 and its first policy was issued in May, 2026. It has been stated that as the notice was received in the Bangalore Office and its entire operations are controlled from Mumbai, this situation arose.

19. Having regard to the aforesaid, we find that there has been no deliberate non-compliance of our order and the grounds disclosed are *bona fide*.

20. Accordingly, the present issue against respondent No.94-Kiwi General Insurance Limited stands closed and the personal appearance of the concerned person also stands dispensed with.

21. With regard to respondents No.45-Kotak Mahindra Life Insurance Company Limited and 95-Aditya Birla Health Insurance Co. Ltd., Mr. Sanjay Kumar Chadha, learned counsel submits that he had entered appearance on their behalf on 26.05.2026 which is also reflected in the order of the said date but it appears that inadvertently, the said respondents have also been impleaded as defaulting respondents.

22. We find the contention to be correct. Accordingly, the present issue against respondents No.45-Kotak Mahindra Life Insurance Company Limited and 95-Aditya Birla Health Insurance Co. Ltd. also stand closed and the personal appearance of the concerned persons stands dispensed with.

23. On behalf of respondent No.98-Narayana Health Insurance Co. Ltd., Ms. Sheela Ananth, the Whole Time Director and Chief Executive Officer of Narayana Health Insurance Co. Ltd. is present. In the affidavit filed on 22.09.2026, her stand is that for the first time, notice was served on the said respondent on 12.06.2026

and soon thereafter, learned counsel had entered appearance.

24. We find that notice was received by her on 12.06.2026 i.e., before Ms. Sheela Ananth had left for Canada on 26.07.2026 which is after one and a half months, without ensuring that at least appearance on behalf of the respondent No.98 was filed before the Court. This, we find is a grave lapse and simply tendering apology may not be enough.

25. Accordingly, Ms. Sheela Ananth, the Whole Time Director and Chief Executive Officer of Narayana Health Insurance Co. Ltd. shall file a fresh affidavit in the matter. However, her personal appearance is dispensed with, for the present.

26. With regard to respondent No.100-Niva Bupa Health Insurance Co. Ltd., we find that there is no explanation given, as to why, Mr. Krishnan Ramachandran, its Chairman had not appeared personally and instead chosen to appear virtually despite the order being clear that the person had to appear personally before the Court.

27. Accordingly, is directed to file a fresh affidavit in the matter. However, his personal appearance is dispensed with, for the present.

28. With regard to respondent No.102-General Insurance Corporation of India (GIC Re), we find that there is no explanation whatsoever with regard to the non-presence of the CMD of the said respondent.

29. Accordingly, notice of contempt is issued against the CMD of the respondent No.102-General Insurance Corporation of India (GIC Re). The concerned shall file his/her personal affidavit showing cause as to why appropriate action for contempt of this Court be not taken against him. However, personal appearance of the

respondent is dispensed with, for the present.

30. With regard to respondent No.103-Valueattics Reinsurance Limited, Mr. Thondigulam Anantha Narayan Ramalingam, its Managing Director and Chief Executing Officer is present and has filed his affidavit. The said discloses that notice of the present proceedings was received by the organisation on 13.06.2026 and in fact, on the same day, the vakalatnama has been filed.

31. Having regard to the aforesaid, we find that there has been no deliberate or willful lapses on the part of the said person. Accordingly, the present issue against respondent No.103-Valueattics Reinsurance Limited stands closed and the personal appearance of its Managing Director and Chief Executing Officer also stands dispensed with.

32. All the parties who are under obligation to file affidavits, must compulsorily file their detailed affidavits by the next date.

33. A suggestion has come that eDAR (Electronic Detailed Accident Report) portal, which is operated by the NIC, though setup, but only a few States have started uploading the data on the said portal. Thus, a direction is issued to all the States to ensure that the data relating to the present issue is uploaded on the eDAR without any delay. Further, eDAR be linked with IIB (Insurance Information Bureau), which is under the control of IRDA. All the portals of the concerned Ministries should be interlinked.

34. Further, a direction is issued to all the concerned authorities, including the Union of India and States to ensure interlinking of VAHAN, SARATHI, eDAR and IIB for seamless cross-reference of accident reports, vehicle/insurer records and prior

claim(s) history. This integration shall extend to Hit-and-Run and PM-RAHAT Schemes, enabling early accident alerts directly to insurers. The same be done within four weeks from today positively. On the next, compliance report as also details with regard to the queries of the Court as indicated in the previous orders be brought on record by way of an affidavit by the parties concerned.

35. By way of last indulgence, the States who have still not complied with constituting a SIT in terms of the earlier orders, shall do the same mandatorily within four weeks.

36. The note filed by Mr. Jagdish Chandra Solanki is taken on record.

37. Mr. Ranjit Kumar, learned Senior Counsel is requested by the Court to assist with regard to the main issue in the present proceedings. For the said purpose, whatever material/paper is required by him, which may be available with the Registry, the same be provided to Ms. Tanya Srivastava, the learned Advocate on Record, nominated by Mr. Ranjit Kumar, learned Senior Counsel.

38. Whatever affidavits are filed by the parties concerned will be accepted by the Registry and be placed on record both physically and digitally.

39. List on 27.11.2026 at 2.00 p.m.

(SACHIN KUMAR SRIVASTAVA)
COURT MASTER (SH)

(SAPNA BISHT)
COURT MASTER (SH)

(POOJA SHARMA)
ASST REGISTRAR-CUM-P.S.

(ANJALI PANWAR)
ASSISTANT REGISTRAR