

ITEM NO.48

COURT NO.16

SECTION XI

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). 8384/2026

[Arising out of impugned final judgment and order dated 28-05-2025 in FAFO No.1216/2025 passed by the High Court of Judicature at Allahabad]

THE NEW INDIA ASSURANCE COMPANY LTD

PETITIONER(S)

VERSUS

SMT. SUNDARI SHARMA & ORS.

RESPONDENT(S)

(IA No. 36923/2026 - CONDONATION OF DELAY IN FILING
IA No. 36927/2026 - CONDONATION OF DELAY IN REFILING / CURING THE
DEFECTS
IA No. 36921/2026 - EXEMPTION FROM FILING O.T.)

Date : 22-09-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) : Mr. Rohit Kumar Sinha, Adv. (Through V. C.)
Mr. T. Mahipal, AOR
Mr. Indrajeet Singh, Adv.
Mr. Surya Kamal Mishra, Adv.

For Respondent(s) : Mr. Ranjan Kumar Rai, Adv.
Mr. Navneet Kumar Jha, Adv.
Mr. Abhinav S. Raghuvanshi, AOR

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

1. Delay condoned.
2. The present petition is arising out of judgment dated 27.02.2025 passed by the Motor Accident Claims Tribunal (MACT), Gorakhpur in M.A.C.P. No.164/2014. An appeal i.e. FAFO No.1216/2025

was preferred by the New India Assurance Company Ltd. (for brevity "Insurance Company") against the award dated 27.02.2025 passed by the Motor Accident Claims Tribunal, Gorakhpur, thereby awarding a sum of Rs.72,08,071/- along with interest to the claimants therein. An appeal was preferred by Insurance Company in the matter and the High Court has passed an interim order dated 28.05.2025, directed the Insurance Company to deposit the entire awarded amount along with interest, and permitted the claimants to withdraw 50% of the awarded amount along with interest.

3. Keeping in view the facts and circumstances of the present case, this Court does not find any reason to interfere with the interim order passed by the High Court of Judicature at Allahabad. The special leave petition is disposed of. However, the High Court is requested to decide the FAFO No.1216 of 2025 as early as possible at an early date.

4. The claimants shall file an undertaking before the High Court stating categorically that, in case, the Insurance Company succeeds before the High Court, they shall return the amount received by them.

5. Pending application(s) shall stand disposed of.

(JAGDISH KUMAR)
ASTT. REGISTRAR-cum-PS

(MAYA KUMARI)
BRANCH OFFICER