

(2019) 02 SC CK 0373

In the Supreme Court Of India

Case No : Civil Appeal No(S). 2287, 2288 Of 2010, 5035, 5037 Of 2012, 10813 Of 2013, 2463 Of 2015, Special Leave Petition (Civil) No. 1864, 1912, 3056, 36937 Of 2017

Assistant General Manager & Ors

APPELLANT

Vs

Radhey Shyam Pandey

RESPONDENT

Date of Decision : 20-02-2019

Acts Referred:

Citation : (2019) 02 SC CK 0373

Hon'ble Judges : A.K. Sikri, J;S. Abdul Nazeer, J;M.R. Shah, J

Bench : Full Bench

Advocate : N.K. Kaul, Sanjay Kapur, Bharath Gangadharan, Megha Karnwal, Kauser Husain, Sanjay Hegde, Rajat K., Rajyalakshmi Kaushik, Vivek Kishore, K. Sarada Devi, Kamini Jaiswal, Rajesh Kumar-I, Anand Gautam, Shruti Vats, Khushboo Aggarwal, Debayan Banerjee, Anmol Mehta, Jagjit Singh Chhabra, Saksham Maheshwari, Hari Shankar Jain, Vishnu Shankar Jain, Pankaj Kumar Verma, Pooja Singh, Aishwarya Bhati, Vaidruti Mishra, Tanuja Patra, H. K. Chaturvedi, Sagar Chaturvedi

Judgement

S.L.P. (C) No. 3056/2017, S.L.P.(C)..CC No. 1864/2017, S.L.P. (C)..CC No. 1912/2017 and S.L.P.(C) No. 36937/2017:

Delay condoned.

After hearing the arguments of learned counsel for the parties for some time, we are of the firm view that these matters are squarely covered by the judgment of this Court in National Insurance Company Ltd. vs. Kirpal Singh, 2014 (5) SCC 189. We find that the High Courts in the impugned judgment(s) have relied upon the aforesaid judgment only in granting the benefits to the respondents herein.

Mr Sanjay Hegde, learned senior counsel appearing for the petitioners, has endeavoured to argue that the case of Kirpal Singh (supra) needs to be reconsidered. Such an attempt was made earlier also by identically situated Insurance Company, in S.L.P.(C) Diary No. 36005/2017 and was rejected by the

Court in the following words:

"Though learned counsel for the petitioner has made a persuasive attempt to re-visit the National Insurance Company Ltd. vs. Kirpal Singh reported in 2014 (5) SCC 189, we are not inclined to consider those contentions as the same are already taken care of in Kirpal Singh (supra).

The special leave petition is, accordingly, dismissed.

Pending application(s), if any, shall also stand disposed of."

We, therefore, do not find any substance in these Special Leave Petitions which are, accordingly, dismissed.

Pending applications, if any, stand disposed of.

C.A. No. 2463/2015, C.A. Nos. 2287-2288/2010, C.A. Nos. 5035-5037/2012 and C.A. No. 10813/2013:

List the matters next week.