

Tariff Advisory Committee

Vs

Hajjan Nanhi and Others

SLP (C) No. 8674 of 1998

(K. Venkataswami, A. P. Mishra JJ)

31.07.1998

ORDER

SLP (C) No. 8674 of 1998

1. We do not think that at this stage, we should interfere. The petitioner can move the High Court for appropriate relief. We have no doubt that having regard to the circumstances, the High Court will expeditiously dispose of the interim applications. The special leave petition is dismissed.

IPs (C) Nos. 517-522 of 1998

2. These transfer petitions are filed under Article 139-A of the Constitution of India to transfer the writ applications filed in different High Courts by operators of stage carriages and others challenging Section 64-UC of the Insurance Act, 1938, and also the enhancement of motor tariff insurance premium ranging between 182.75% to 244% of the existing tariff to be paid by the transport operators and also the exercise of powers of the Central Government under Section 35 of the General Insurance Corporation Act. It is stated by the learned Attorney General that in the judgment in *Jt. Council of Bus Syndicate v. Union of India* [1992 Supp (2) SCC 125] the questions raised in various High Courts stand concluded leaving no scope for further arguments. In the circumstances, the learned Attorney General prays for transfer of some of the cases pending in various High Courts for convenient disposal to this Court.

3. Notice was issued by an order of this Court on 3-4-1998 only in CMP No. 5692 of 1998 in OP No. 3192 of 1998 pending on the file of the Kerala High Court. Issue notices in the rest of the cases.

4. The learned Attorney General has given further list of cases pending in various High Courts and requested that those cases (list enclosed) also be transferred to the file of this Court. We direct the learned counsel for the petitioners to take out appropriate petitions for transferring those cases to be disposed of along with the cases in which notices had been ordered (*supra*). Subject to the filing of such petitions, notices will be issued in those cases as well.

5. In the meanwhile, final disposal of the cases pending in different High Courts all over the country touching the issues mentioned above shall remain stayed till the disposal of the cases to be transferred to this Court. However, this will not prevent the High Court from dealing with and disposing of the interlocutory applications.

Court Masters.