

SUPREME COURT OF INDIA

United India Insurance Co. Ltd.

Vs.

Kanwal Nain Sachdeva

(B.N.Kirpal and S.Rajendra Babu JJ.)

10.05.1999

ORDER

The Text below is only a summarized version of the order pronounced

The appellant's contention was that the licensed capacity of the insured bus was 22 passengers while it was carrying 48 passengers and hence the liability of insurance company should be absolved. The contentions raised were dismissed by the High Court finding the MACT award well reasoned. The present appeal was allowed on the ground that High Court erred by not looking into above contentions on merits at the time when it was dealing with the first appeal against order of the MACT.