

SUPREME COURT OF INDIA

Satpal

Vs.

Dhanpati

C.A.No.83 of 2000

(K. T. Thomas and M. B. Shah JJ.)

07.01.2000

ORDER

1. Leave granted.

2. This appeal has been filed by the present appellants challenging an Award passed by the Motor Accident Claims Tribunal. The High Court has disposed of the appeal with the following words:

After hearing learned Counsel for the appellants, we find no illegality in the award of the Claims Tribunal, Dismissed.

3. It is hardly necessary to point out that disposal of the statutory appeal was not in accordance with law. High Court has not considered any contentious issue involved in the appeal. In a similar situation this Court has set aside such a judgment of the High Court (vide order dated 10.05.1999 in Civil Appeal No. 3013 of 1999 : United India Insurance Co. Ltd. v. Kanwal Nain Sachdeva & Ors.) No other course is possible in this appeal as well.

4. We, therefore, set aside the impugned order of the High Court and remit the appeal back to the High Court for disposal of the same in accordance with law after adverting to the contentious issues raised.

5. This appeal is disposed of accordingly.