

SUPREME COURT OF INDIA

New India Assurance Co. Ltd.

Vs.

N.R.Usharani & Ors.

C.A.No.4021 of 2002

(H.K.Sema and Markandey Katju, JJ.)

12.03.2008

ORDER

1. This appeal has been preferred by the Insurance Company. Admittedly, the claimant was a pillion rider. A three-Judge Bench of this Court in *New India Assurance Co.Ltd. Vs. Asha Rani & Ors*¹, has held that the pillion rider is not covered by the policy and, therefore, the Insurance company is not liable to pay compensation.

2. This appeal is squarely covered by the decision in Asha Rani case. In view thereof, the order of the High Court is set aside.

3. This appeal is allowed.

Judgment Referred.

¹(2003) 2 SCC 0223