

ITEM NO.29

COURT NO.12

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 17630/2025

[Arising out of impugned final judgment and order dated 03-04-2025 in MACA No. 721/2021 passed by the High Court of Kerala at Ernakulam]

THE DIVISIONAL MANAGER

Petitioner(s)

VERSUS

RADHA SANTHOSH & ORS.

Respondent(s)

Date : 14-07-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) Mr. Aditya Kumar, Adv.
Ms. Ila Nath, Adv.
Mr. C. George Thomas, AOR

For Respondent(s)

UPON hearing the counsel the court made the following
O R D E R

1. One of the questions raised in this Special Leave Petition is whether under a third party policy, a person sitting in a car would be covered and entitled to compensation.

2. The question as to whether the third party includes all other persons other than the insured, who is the first party and the insurer, who is the second party, has been referred to a larger Bench vide order dated 25.08.2022

passed in SLP (Civil) No.3433 of 2020.

3. In view of the above, issue notice and tag with the above referred matter.

4. In the meantime, the execution proceedings shall remain stayed provided the petitioner deposits the entire amount of compensation as awarded by the Motor Accidents Claim Tribunal with up to date interest before the MACT, within a period of six weeks.

(Nidhi Mathur)
Court Master (NSH)

(Geeta Ahuja)
Assistant Registrar-cum-PS