

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 2598 OF 2009
[Arising out of SLP(C) No.19223/2008]

V. MAHADEVAN

... APPELLANT(S)

:VERSUS:

PALLAVAN TRANSPORT CORPORATION LTD.

... RESPONDENT(S)

ORDER

Leave granted.

By reason of the impugned judgment, the High Court has attributed negligence to the extent of 60% to the Transport Corporation Corporation and 40% to the claimant. But no reason has been assigned in support of the said findings. We are, therefore, of the opinion that the matter should be considered afresh by the High Court.

The impugned judgment is, therefore, set aside and the matter is remitted back to the High Court for consideration on the said question afresh and for passing a reasoned order.

The appeal is disposed of with the aforementioned direction.

.....J
(S.B. SINHA)

.....J
(Dr. MUKUNDAKAM SHARMA)

**NEW DELHI,
APRIL 13, 2009.**