

CASE NO.:
Appeal (civil) 4021 of 2002

PETITIONER:
NEW INDIA ASSURANCE CO. LTD

RESPONDENT:
N.R. USHARANI & ORS

DATE OF JUDGMENT: 12/03/2008

BENCH:
H.K. SEMA & MARKANDEY KATJU

JUDGMENT:
JUDGMENT
O R D E R

CIVIL APPEAL NO. 4021 OF 2002

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., (2003) 2 SCC 223 has held that the pillion rider is not covered by the policy and, therefore, the Insurance company is not liable to pay compensation.

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