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**RA-CR-27-CII-2018 in/and
FAO-5813-2017**

NEW INDIA ASSURANCE CO. LTD V/S SUKHWINDER KAUR & ORS

Present: Mr. Vinod Gupta, Advocate,
for the applicant/petitioner.

For the reasons mentioned in the application, which is duly supported by an affidavit, order dated 08.09.2017 is recalled. The appeal is restored to its original position. To be heard on merits on the limited point of 'pay and recover' principles, with the liberty to the insurance company to recover the money from the owner of the vehicle.

Notice of the appeal be issued for 10.12.2019, subject to deposit of the entire amount of compensation before the MACT with a direction to the Tribunal to release the amount to the claimants after verifying their identities.

On appearance, the owner will be heard on why the principle of 'pay and recover' should not be passed in favour of the Insurance Company and against him.

**(RAJIV NARAIN RAINA)
JUDGE**

16.10.2019
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