

13.11.2025

Present : Mr. Narender Singh, Ld. Proxy Counsel for claimant.
 Mr. Kshitij Tyagi, Ld. Proxy Counsel for respondent no.
 1.
 Mr. Harsh Singhla, Ld. Proxy Counsel for respondent no.
 2.
 Mr. Rohit Prajapati, Ld. Counsel for respondent no.
 3/Insurance company (Acko General Insurance) and also
 for respondent no. 4/HDFC Ergo General Insurance.

An application under Order 1 Rule 10 of CPC for impleading driver-cum-owner and insurer of motorcycle bearing no.DL9SC E 7766 filed by respondent no. 4 is taken up for consideration.

It is submitted by Ld. Counsel for the respondent no. 4 that the deceased was a pillion rider of motorcycle bearing no.DL9SC E 7766 which was being driven by one Mr. Rishi. It is submitted that Mr. Rishi was riding the motorcycle rashly and negligently and thereby hit a Wagon R from behind due to which the pillion rider Ms. Ragini fell on the road. Thereafter, a Scorpio Car ran over Ms. Ragini which resulted in her demise.

It is submitted that the accident took place due to the rash and negligent riding of motorcycle by Mr. Rishi, who was also the owner of the motorcycle. It is prayed that Mr. Rishi and the insurance company of the motorcycle be impleaded as respondents.

Application is not opposed.

Arguments are heard and record is perused.

In view of the averments made by the Ld. Counsel for the respondent no. 4, the possibility of the accident taking place due to the rash and negligent riding of the motorcycle cannot be ruled out.

However, at this stage, the Court need not give a conclusive finding on the same, which can be given only after taking into consideration the evidence that is led by the parties.

The Court is of the opinion that Mr. Rishi who was the driver and owner of the motorcycle and the insurance company which insured the motorcycle are necessary and proper parties. The application is allowed.

Mr. Rishi and the insurance company are impleaded as respondents no. 5 and 6 respectively.

At this stage, it is noticed that Mr. Rishi is present in Court. He has disclosed that his father's name is Mr. Manoj Tiwari and is resident of RZ-51A, Gali No. 24, Vashishtha Park, Pankha Road, New Delhi. He submits that his mobile number is 9625258574.

Ld. Counsel for respondent no. 4 submits that details of the insurance company are not on record.

Issue notice to Mr. Rishi, driver and owner of motorcycle bearing no. DL9SC E 7766 and to its insurance company.

-3-

Since Mr. Rishi is present in Court, notice is deemed to have been served upon him.

Let notice to the insurance company of the motorcycle be sent and served through the concerned IO and SHO returnable on 12.03.2026.

Issue notice to the IO and SHO with direction to supply copy of Detailed Accident Report to Mr. Rishi by the next date of hearing.

Let amended memo of parties by the claimant.

(Shirish Aggarwal)
Judge, PO, MACT-01
New Delhi, 13.11.2025