

30.01.2026

Present : Ms. Gauri Pathak, Ld. Counsel for claimants through VC.
Claimant no. 1 is present through VC.
None for respondents no. 1 and 2.
Mr. Ajay Shankar, Ld. Counsel for respondent no. 3
through VC.

Ld. Counsel for the claimants submits that despite service upon the witness, he did not appear before the Local Commissioner.

She requests for an adjournment for filing of an application for issuance of warrants against the witness.

Ld. Counsel for respondent no. 3 submits that he has no objection if the matter is adjourned. However, he states that since the claimant has not been pursuing the present case diligently, the interest liability of the insurance company should be suspended.

He points out that the matter was listed before the Local Commissioner only once on 15.11.2025 and thereafter, the claimants did not come forward for leading of evidence.

Record is perused.

On 04.11.2025, the application of the claimants for summoning of witness Mr. Gurmeet was allowed and it was directed that summons be issued for service upon the witness.

However, as per the report of the Ahlmad, summons could not be served upon the said witness since he does not reside at the

provided address.

Since summons were never served upon the witness, warrants cannot be issued against him.

It appears that the Ld. Counsel for the claimant is not aware of the report of summons that were sent to Mr. Gurmeet.

Be that as it may, if the witness did not appear before the Local Commissioner on 15.11.2025 for which summons were issued for service upon him, the claimants should have immediately after 15.11.2025 taking steps for issuing of fresh summons for service upon the witness.

However, no steps were taken by the claimants in this regard or for recording of evidence of any other witness.

In view of the no objection given by the Ld. Counsel for respondent no. 3, request for adjournment is allowed. However, it is directed that w.e.f. 15.11.2025 and till conclusion of evidence of the claimants, the interest liability of the insurance company shall remain suspended.

To come up on 09.06.2026.

(Shirish Aggarwal)
Judge/ PO, MACT-01
New Delhi, 30.01.2026