

MACP 319/24

SUJATA (LRS OF SUBHASH CHAND) Vs. ROHAN WADHWA

10.09.2024

Present: Ld. Counsel for petitioner.
Ld. Counsel for driver and owner.
Shri Sujit Jaiswal, Ld. Counsel for TATA AIG General Insurance Company Ltd.
Ld. Counsel for Go Digit General insurance company.

Ld. Counsel for insurance company has filed an application u/o 1 Rule 10 CPC as it is submitted that the third party insurance of the offending vehicle was covered by Go Digit General Insurance Company Ltd and not TATA AIG General insurance Company. He accepts notice on behalf of Go Digit General Insurance Company Ltd. **Accordingly, TATA AIG General Insurance Company Ltd. is deleted from the array of parties and Go Digit Insurance Company Ltd is added in the array of parties.** At request of Ld. Counsel for insurance company, copy of this order be given dasti.

Reply be filed by insurance company on the NDOH.

It is submitted by Ld. Counsel for insurance company that the IO had seized the blood sample of the accused at the time of medical examination on the date of accident which has been sent to FSL. It is the contention that due to this reason, it is the apprehension that the same was collected to measure the blood alcohol content of the driver of the offending vehicle.

It is submitted by counsel for driver that nowhere in the MLC or any other document IO or doctor has stated anything about alcohol being taken by the driver at the time of driving the offending vehicle.

Issue notice to IO to appear in person on NDOH.

WS already filed by R1 and R2. Copy already supplied.

Put up on **01.10.2024.**

(Richa Manchanda)
Judge MACP-2 (North)
Rohini Courts, Delhi/10.09.2024