

MACT No. 128/2021

Hansi Devi & Ors. Vs Shri Ram General Insurance Co. Ltd. & Ors.

08.06.2026

Present: Sh. B.S Rawat, Ld. counsel for the petitioners along with petitioner Sh. Karan Bisht in person.
Sh. Mustafa Ali, Ld. counsel for Shri Ram General Insurance Company respondent no. 1 joined through VC.
None for Zakir Ali respondent no. 2 driver cum owner.
Sh. Wasim Waqar, Ld. counsel for the ICICI Lombard Insurance Company respondent no. 3.

The matter is listed for arguments on the maintainability of the application of the petitioners under order 22 r/w section 151 CPC wherein permission had been sought for minor petitioners to be represented through next friend.

Ld. counsel for the petitioners submits that one of the petitioners namely Sh. Karan has now become a major therefore he wishes to withdraw the previous application seeking the petitioners to be represented through next friend.

Accordingly the aforesaid application stands dismissed as withdrawn.

A fresh application under order 22 r/w section 151 CPC has been filed wherein it is submitted that Hansa Devi/ petitioner no. 1 expired on 10.01.2026 and the major son Sh. Karan Bisht shall be taking care of the 2 remaining minor petitioners and the amended memo of parties in this regard is annexed with the application.

Copy of the death certificate of Hansa Devi is annexed along with the application.

Ld. counsel for the respondents submits that without prejudice to the rights and contention there is no objection to the application.

In these circumstances the present application is allowed and the amended memo of parties is taken on record.

Written submissions in the prescribed format have been furnished on behalf of the petitioners.

The financial statement of the petitioner no. 1 Karan has been recorded today on behalf of all three petitioners.

It is stated that written submissions have been filed by all the parties in the matter.

Part final arguments have been advanced by Ld. counsel for the parties.

Ld. counsel for the petitioner has relied on the judgments i.e *Shriram General Insurance Comp. Ltd. Vs. Allapurja Sujana Civil Appeal No. 2276 of 2017 decided by Andra Pradesh High Court dated 10.04.2025 and Umesh Kumar and Ors. Vs. Leela Devi and Ors. CMP No. 179 of 2025 in FAO No. 33 of 2025 decided by Hon'ble High Court of Himachal Pradesh at Shimla on 16.06.2026.*

Put up now for remaining final arguments on **17.08.2026**.

(Anjani Mahajan)
Presiding Officer, MACT, SD,
New Delhi/08.06.2026