

MACP No. 631/19

Chhotey Lal & Ors. Vs. Ratnesh Kumar & Ors.

06.02.2024

Present: Sh. Saurabh Raj, Ld. Counsel for petitioners/Lrs of deceased.

None for driver.

Sh. Vikram, Ld. Counsel for registered owner.

Ms.Vartika Aggarwal, Ld. Counsel for Liberty General Insurance Ltd.

An application u/o I Rule 10 r/w Section 151 CPC filed on behalf of respondent no. 3/ Liberty General Insurance Ltd for deletion of Liberty General Insurance Ltd. from the array of parties, is pending disposal on the ground that at the time of accident, the offending vehicle was not insured with respondent no.3/Liberty General Insurance Ltd. The same is not disputed by the counsel for registered owner.

Ld. Counsel for registered owner also moved an application u/o 1 Rule 10 CPC seeking impleadment of insurance company Bharat Overseas Bank as the offending vehicle was insured with it at the time of accident. He has also annexed the relevant document alongwith the present application.

Respondent no.2 has no objection if respondent no.3 is deleted from the array of respondents, since the offending vehicle was insured with Bharat Overseas Bank at the time of accident not with respondent no. 3 i.e. Liberty General Insurance Ltd.

In view of the submissions of respondent no.2 and the document filed alongwith application moved on behalf of respondent no. 2, it is accordingly directed that respondent

no.3/Liberty General Insurance Ltd be deleted from the array of respondents and Bharat Overseas Bank be impleaded as respondent no. 3 in the present case. Petitioners are directed to file amended *Memo of Parties*.

Issue notice of present claim petition to newly impleaded respondent i.e. Bharat Overseas Bank on filing of PF/RC by the petitioners, for next date of hearing. Copy of this order be given dasti.

Put up on **08.05.2024**.

(Richa Manchanda)
Judge MACT-2 (North)
Rohini Courts, Delhi/06.02.2024