

22.08.2019

Present: **Shri Deepak Sharma, Ld. Counsel for Petitioner.**

**None for R-1 and R-2.**

**Shri Sanjay Kumar, Ld. Counsel for R-3 i.e. Insurance Company.**

Evidence by way of affidavit of Smt. Neelam and Shri Karan Kamra filed. The same is taken on record. Copy supplied.

PW1 Smt. Neelam and PW2 Shri Karan Kamra examined, cross-examined and discharged.

An application u/s 170 of the M.V.Act read with section 151 CPC filed. Copy supplied. The same is taken on record.

Ld. Counsel for Shri Kumar states that since the Respondents No.1 and 2 is not appearing to contest the case, he be allowed to cross-examine the witnesses on the point of negligence.

Heard. Perused the record.

In the interest of justice and keeping in view that Respondents No.1 and 2 have not been appearing for quite sometime nor they have cross-examined the PW. The Insurance company has right to cross-examine the witnesses on the point of negligence. Accordingly, the Respondent no.3 is allowed to cross-examine the witnesses on the point of negligence. Application stands disposed of.

Put up for RPE on 28.11.2019.

(Mukesh Kumar Gupta)  
ADJ-1+MACT(NW)/22.08.2019<sub>(pk)</sub>