

23 MACT 87/19  
GUDDU KHAN Vs. SAMAR MOHAMMAD

18.03.2024

Present: Sh. Keshav Dubey, Ld. Counsel for claimant.  
Sh. Krishan Maurya, Ld. Counsel for Insurance  
company.  
Sh. Irfan Khan, Ld. Counsel for R1 along with R1.

An application u/O 1 rule 10 CPC was moved on behalf of Insurance Company for deletion of its name from array of parties on the ground that the Insurance policy relied upon by the petitioner is a fake one. It is admitted that this fact has been discovered by the Insurance Company only at the time of leading of evidence. Whether or not the policy is fake, is a matter of trial and cannot be decided by way of the application. Hence the application is declined with clarification that the issue shall be decided by way of adjudication of the present matter.

Ld. Counsel for respondent seeks some more time for leading RE, matter be accordingly put up for RE on **21.08.2024**.

**(Charu Gupta)**  
PO-MACT-01 (South-East)  
Saket Court/New Delhi/18.03.2024(s)