

MACT:280/21

Aarti Devi v. Ambrish Kumar

25.01.2025

One Regular stenographer is on leave till 31.01.2025.

File taken up on application seeking amendment in the memo of parties.

Present: Ms. Sonia, Ld. counsel for applicant.

Application perused.

It is submitted that the present claim petition was filed against one Ambrish Kumar as driver and owner of the offending vehicle. It is further submitted that it is only during the evidence that it came to the knowledge of petitioner that the offending vehicle was being driven by one Kali Charan and the chargesheet was also filed against him. Ld. counsel has accordingly sought impleading of Kali Charan as Respondent no.1.

Submissions heard.

Perusal of the record reveals that since even the issues were framed only against R-1 as driver-cum-owner and the insurance company, the proceedings have to be initiated de novo, qua proposed respondent Kali Charan. This court has also gone through the FIR which clearly states the name of Kali Charan as driver of the offending vehicle. As such, application is allowed. **Kali Charan is impleaded as Respondent no.1. Let Notice of the claim petition be issued to Respondent no.1 on filing of PF&RC for date already fixed i.e. 26.05.2025. Till then operation of order dated 26.04.2024 i.e. qua recording of evidence shall remain stayed.**

Application is accordingly disposed of.

(Charu Gupta)
PO-MACT -01 (South-East)
Saket Court/ New Delhi/25.01.2025