

32 MACT 1032/18 KAVITA (DAR) Vs. NANHE LAL (346/18,
KALKAJI)
11.10.2022.

Present: Sh. Rajesh Kumar Singh, Counsel for petitioner.
None for driver.
Counsel for owner.
Sh. Kamaldeep, counsel for insurance company.

Today the case was fixed for final arguments but an application dated 11.10.2022 filed on behalf of R-2 / owner for recalling R-3W1 / witness of the insurance company for cross examination by R-2. Further, another application filed for recalling the order dated 16.09.2022 and praying that R-2 be allowed to lead evidence along with a copy of evidence by way of affidavit.

Further, another application u/O 8 Rule 1A (3) CPC also filed for placing on record certain documents. Copy of the same supplied to insurance company as well as to petitioner.

Heard.

As in this particular case, the suit is also whether offending vehicle had a valid insurance at the time of accident or whether such insurance policy is obtained after such accident only, as well as because it is claimed by insurance side that in any case such policy was “liability policy only”, therefore, to decide the issue under consideration, in the interest of justice, such applications are allowed.

As such, insurance company is directed to produce their witness R3W1 for his cross examination by R-2.

Further, put up for RE on behalf of R-2 also on next date of hearing.

Put up for **07.12.2022**.

(Naveen Kumar Kashyap)
PO-MACT (South-East)
Saket Court/ New Delhi
11.10.2022