

01.07.2024

Present:- Sh. Madhur Goel, Ld. counsel for the petitioner.
Respondent no.1 in person.
Sh. Vipin Arora, Ld. counsel for respondent no.1.
Sh. Nitin Goel, Ld. counsel for respondent
no.2/insurance co. through V/C.

Ld. Counsel for the petitioner has stated that IO deliberately did not make the owner of the offending vehicle as respondent in the DAR which was filed and has been treated as a claim petition U/S 166(4) of M.V. Act because of which the petitioner is constrained to move an application U/O 1 Rule 10 CPC for impleading the registered owner as the respondent in the claim petition.

The petitioner has also moved an application U/S 151 CPC for passing necessary direction for appearance of the IO before the Tribunal to clarify the same. The application for passing direction to IO for appearing in person before the Tribunal is allowed. The application is disposed of.

Issue notice to Investigating Officer to appear in person before the Tribunal on the NDOH.

The petitioner has also moved an application U/S 340 Cr.P.C along with certain documents. The said application shall be taken up after the disposal of the claim petition, however the application is retained on record.

The petitioner has refused to accept the legal offer made by the respondent/insurance co. and has given a counter offer to the respondent/insurance co. The said counter offer is by

way of replication which has been filed along with certain documents by the petitioner. The copy of the application is supplied to Ld. counsel for respondent no.1.

Issue notice of application U/O 1 Rule 10 CPC to the proposed respondent on PF/RC for NDOH.

Put up for further proceedings on **04.09.2024**.

(Vijay Kumar Jha)
PO MACT-01/SHD/Delhi
01.07.2024