

20.03.2024

Present: **Advocate** Sh. Onkar Kushwah for **dependents** of Late Itwari Lal has joined through VC whereas **Advocate** Sh. Anil Gupta is physically present in Court.

Advocate Sh. Kunal Chauhan for R1/Santosh Kumar (driver) and R2/Mohit Dalal (owner).

Advocate Sh. Mehtab Singh for R3/Bharti Axa General Insurance Co. Ltd. (now ICICI Lombard General Insurance Co.Ltd.)

ASI Ajit Singh (IO), PS Kapashera.

Heard. File perused.

Detailed Accident Report (DAR) has been filed along with copy of Final Report for offences under section 279/304A IPC in FIR No. 561/11 PS Kapashera.

Application under Order I Rule 10 read with 151 CPC has been filed for striking out ICICI Lombard General Insurance Co. Ltd. impleaded as R3 by stating that accident took place on 06.12.2022 whereas (i) comprehensive policy with Bharti Axa General Insurance Co. Ltd. was valid from 30.04.2019 to 29.04.2020 and (ii) copy of OD policy issued by Bharti Axa General Insurance Co. Ltd. was only for Own Damage Risk Cover effective from 09.09.2022 to 08.09.2023.

Copy of application be supplied to Ld. Counsel for R1 & R2 who in turn is directed to provide original policy against third party risk for the relevant period for verification from insurer/concerned Regional Transport Office.

Put up on **03.07.2024** for verification report and further proceedings.

(Tarun Yogesh)
PO, MACT-01, Dwarka Courts,
New Delhi/20.03.2024