

(16) **MACT 734/18**

DHIRENDER Vs. HIMANSHU AGGARWAL AND ORS

15.02.2024

At 11:31 a.m.

Present: Advocate Shri K.K. Dubey for injured.
None for R1 (driver) and R2 (owner).
Advocate Shri Himanshu Gambhir for R3/ L & T
General Insurance Co. Ltd stated to have
merged with HDFC Ergo General Insurance Co.

Application under Order XXII Rule 4 read with
section 151 CPC for impleading Ashwinder Kaur in place of her
husband / R1 Himanshu Aggarwal (since deceased) is taken on
record.

Heard. File perused.

Application under section 166/140 M.V. Act seeking
compensation/Award Rs.10,00,000/- with interest @ 18% p.a.
and interim compensation Rs.25,000/- with interest @ 12% p.a.
has been filed along with copy of charge-sheet under section
279/337 IPC in FIR No. 605/16 dated 14.10.2016 PS Palam
Vihar, Distt. Gurgaon, Haryana.

Issues have been settled on 22.01.2019 but affidavit
of injured has not been tendered in evidence.

Report of Tehsildar, Punjabi Bagh verifying
Ashwinder Kaur (wife) and Aarohi Aggarwal (daughter) as legal
heirs of R1/Himanshu Aggarwal (since deceased) has been filed
on 11.05.2023.

**Notice of application under Order I Rule 10 CPC
be issued to Ashwinder Kaur w/o Late Himanshu Aggarwal
(since deceased) through concerned SHO returnable on
02.05.2024.**

Copy of order be attached along with notice to be
served upon Smt. Ashwinder Kaur at House No. 79, A-3,
Sunshine Apartments, Pashim Vihar, New Delhi.

(Tarun Yogesh)
PO, MACT-01, Dwarka Courts,
New Delhi/15.02.2024