



**IN THE COURT OF THE SENIOR CIVIL JUDGE AND
M.A.C.T AT N.R.PURA**

Present: Sri. Raghunatha Gowda K.T., B.Com.,L.L.B,
Senior Civil Judge & M.A.C.T, N.R.Pura

Dated this the 8th day of June, 2026

M.V.C. No.486/2024

BETWEEN:

Kum. Dhvani M.D.,
D/o. Darmapala M.K.,
aged about 9 years, Student,
Since Minor by his father & natural
Guardian Sri. Darmapala M.K.,
S/o. Kodandamurthy,
R/o. Kalikambha, Muduguni Village,
Balehonnur Post, N.R.Pura Taluk,
Chikmagalur District.

...Petitioner.

(Represented by Sri H.H.K., Advocate)

V/s.

AND:

1. Sri. Tarun H.R., S/o. Ratnakara,
aged about 19 years, Driver cum
Owner of Motor Bike,
Bearing No.KA.01 – JG.1814,
R/o. Kicchabbi, Megaramakki Village,
N.R. Taluk, Chikmagalur District.



2. M/s. Aditya Birla Insurance Brokers
(Earlier known as Aditya Birla Insurance
advisory & Broking Service, No.100,
Railway Parallel Road, Kumar Park West,
Sheshadripuram, Bengaluru – 560 020.
...Respondents.

(Respondent No.1 by Sri K.J.P., Advocate)

I.A. NO.V

BETWEEN:

Kum. Dhvani ...Applicant/petitioner

V/s.

Smt. Sowmya H.A., ...Opponent/Respondent

ORDERS ON I.A. No.V

The petitioner counsel filed this I.A. No.V under order 1 Rule 10(2) of C.P.C. seeking order to implead the proposed respondent No.2 as respondent No.2 in this petition.

2. It is stated in the memorandum of facts of petitioner counsel that the proposed respondent No.2



issued a Insurance Policy and he is necessary party to this petition and if the proposed respondent impleaded no loss or hardship caused to the other side. Hence, he prays to allow this application.

3. After issuance of notice to the said application, the proposed respondent appear through his counsel, but he did not file objection to said application.

4. Heard learned counsel for petitioner and perused the materials on record.

5. The following point arises for my consideration:

- 1) Whether the application filed by the petitioner deserves to be allowed?
- 2) If so, what order?

6. My answer to the above points are as follows :

Point No. 1 : **In the Affirmative.**

Point No. 2 : As per final order
for the following



REASONS

7. **Point No.1** :- The petitioner filed this claim petition seeking compensation in road traffic accident occurred on 10.03.2023 at about 4-40 PM against respondents. Further on perusal of the record, i.e., xerox copy of the insurance policy with respect to vehicle belongs to respondent No.1. It discloses that the Liberty General Insurance Ltd., issued a policy. Further at the time of accident the respondent No.1 vehicle obtain the policy from Liberty General Insurance i.e., proposed respondent No.2. Further on perusal of the record the proposed respondent issued a insurance policy and he is a proper and necessary party to adjudicate the claim petition. Hence for the above said reason my answered to point No.1 in the **Affirmative**.

8. **Point No.2** :- In view of my findings on Point No.1, I proceed to pass the following :-



ORDER

I.A. No.V filed by the petitioner counsel under order I Rule 10(2) of C.P.C. is hereby allowed.

The proposed respondent No.2 contest the petition as respondent No.2.

The petitioner is permitted to amend the petition and also furnish the amended petition.

(Dictated to the stenographer directly on computer, corrected by me and then pronounced in open court on this **8th day of June, 2026**)

(Raghunatha Gowda K.T.)
Senior Civil Judge & M.A.C.T,
N.R.Pura.