

Before Member, Motor Accident Claims Tribunal, Dhule.

(Presided over by Mr.D.M.Aher)

Application Exh.33

In

Motor Accident Claim Petition No.619/2021

(CNR No.MHDH010025212021)

(Firoz V/s. Salim Khan and Ors.)

ORDER

The claimant has prayed to implead the United India Insurance Company Limited as respondent No.7 in the petition.

2. It is the case of claimant that he has filed the petition for compensation U/Sec.166 of the Motor Vehicles Act against the drivers and owners of Bus No.GJ-05/Z-4002 and tanker No.GJ-10/TV-4755. At the time of filing claim petition, the claimant had received the insurance policy of the tanker No.GJ-10/TV-4755 issued by the New India Assurance Company Limited. However, the said policy was carriers legal liability policy. Hence, the said insurance company came to be deleted from the petition. The claimant learnt that during the period of accident, the vehicle No.GJ-10/TV-4755 was validly insured with the United India Insurance Company Limited for own damage and third party liability. The said insurance company is necessary party. Hence, this application.

3. None has filed say to the application.

4. I have heard the learned advocate for the claimant. The claimant has filed the claim petition for compensation U/Sec.166 of the Motor Vehicles Act on account of composite

negligence of the drivers of Bus No.GJ-05/Z-4002 and tanker No.GJ-10/TV-4755. The claimant has impleaded the insurance company of the offending bus. The photo copy of the insurance policy filed with the application prima facie shows that during the period of accident, the offending tanker was insured with the United India Insurance Company Limited for own damage and third party liability. Thus, it is necessary to implead the United India Insurance Company Limited as respondent No.7 in the petition. Hence, the order.

5. In view of above, application Exh.33 is allowed. The United India Insurance Company Limited be impleaded as respondent No.7 in the petition. The claimant to carry the amendment on or before next date and shall file the amended copy of the petition. No costs.

(D.M.Aher)
Member,
Motor Accident Claims Tribunal,
(Court No.5),Dhule.

Date : 15.03.2025.

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CERTIFICATE

I certify that the contents of this P.D.F. File are word to word as per Original Judgment/Order.

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| Name of the Stenographer | : J.S.Jain. |
| Name of the Court | : Court of District Judge-5,Dhule |
| Order directly typed on dias computer. | : 15.03.2025. |
| Order checked and signed by | : 15.03.2025. |
| Presiding Officer | |
| P.D.F. Uploading Date | : 15.03.2025. |

Sd/- xxx
Stenographer(Grade-I)