

**MACP MA No. 56-2023**

**ORDER BELOW EXH.8**  
**(Passed on 21/02/2025)**

1. This is an application under Order 1 Rule 10 of Code of Civil Procedure, 1908.

2. Perused the application and reply thereon. Heard Ld. Counsel for both the sides.

3. Ld. Counsel for respondent no.2 submitted that alleged offending vehicle was insured with respondent no.2 insurance company under Stand-alone Motor Own Damage Two Wheeler Policy. It has no concern with the third party liability as there was no contract between the respondent no.1 and respondent no.2 in respect of third party risk. Accordingly, it is prayed to delete the name of respondent no.2 insurance company.

4. Per contra, Ld. Counsel for claimant submitted that application is false and there is not reason to delete the respondent no.2 insurance company from the present matter. Hence, it is prayed to reject the application.

5. It is pertinent to note that relationship between the respondent no.1 and respondent no.2 and liability of respondent no.2 in respect of act of vehicle of respondent no.1 is the subject

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matter of trial. As such, at this preliminary stage when matter is fixed for condonation of delay in filing the claim petition, said aspect cannot be adjudicated on merit. Hence, application is liable to be rejected. Hence, I pass the following order :

**ORDER**

1. Application at Exh.8 is rejected.
2. Cost on applicant.

Date -21.02.2025.

(Hitendra Urmila Anilkumar Wani)  
Member, MACT, Baramati.