Motor Accident Claim Petition No. 90/2019
ORDER BELOW EXH. 1

1] In this case the arguments for the parties were already heard and it was an argument for Insurance Company that driver of the offending vehicle was not holding valid driving license to drive Hazardous goods and therefore there is breach of terms and conditions of the insurance policy. Today learned advocate Shri. Govekar appeared for the owner of the offending vehicle brought into notice of this court that issue as to breach of terms and condition of the insurance policy is not framed. I have gone through the pleadings of the Insurance Company. The Insurance Company has specifically raised said defence and therefore said issue need to be there. Hence following issue is framed as additional issue-

" Whether it is proved that there was breach of terms and condition of Insurance policy by the owner of offending vehicle, by not having a valid driving license for carrying hazardous goods"?

2] In view of addition issue the parties are at liberty to lead additional evidence if any.

ANIRUDDHA YASHWANT THATTE

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Date : 18-10-2024.

(Aniruddha Y. Thatte.)
Member, M.A.C.T. Islampur.