

**IN THE COURT OF I ADDL. SENIOR CIVIL JUDGE AND ADDL.
MACT., DHARWAD.**

MVC No.641/2022

Petitioner/s : Yamanavva W/o. Dasharath Dasar.

-Vs-

Respondent/s: Jitendrakumar S/o. Balakrishna Agarwal
and another.

I S S U E S

1. Whether the petitioner proves that on 29.08.2022 at about 10.30 a.m. when the petitioner was proceeding on motor cycle bearing Reg. No. KA-48/Y-7308 as pillion rider towards Yadwad road Lokapur from Kadarakoppa, near Shivaji circle, on Lokapur to Yadwad road, Lokapur, at that time a Truck bearing Reg. No.KA-25/D-1347 came from Lokapur circle towards Yadwad circle at high speed and in a rash or negligent manner without following the traffic rules and regulations, due to over speed he lost control over the vehicle and dashed to the motor cycle and caused accident, due to impact of this accident, petitioner sustained grievous injuries all over the body ?
2. Whether the respondent No.2 proves that petition is bad for non-joinder of necessary party as the owner and insurer of motor cycle bearing Reg. No. KA-48/Y-7308 are the necessary parties ?

3. Whether the petitioner is entitled for compensation? If so,
what is the quantum of compensation and from whom ?

4. What order or award?

Place : Dharwad
Dated: 06.03.2024.

(Vijayalaxmi Ghanapur)
I Addl. Sr. Civil Judge and
Addl. MACT., Dharwad.