

**Motor Accident Claim Case No. 10 of 2023**  
**CNR No. WBCB01-000837-2023**

**Present : Sri Subrata Ch. Polle, (J.O. Code – WB01273)**  
**Judge Claims Tribunal, Cooch Behar**

02

15/05/2023

Today is the date fixed for service return.

It appears from the report of the Process Server that the notice of the case has been received by her family member, accordingly, the notice has been duly served upon opposite party No. 1. Apart from the above, by post, the notice was also sent to her as per original postal receipt and delivery status report downloaded from the website of the India post.

No step is taken by opposite party No. 1 / the owner of the offending vehicle. Despite repeated calls, none appears for the said opposite party. Accordingly, the case is fixed ex parte against her.

*Sri Sudip Das*, learned counsel who uses to represent IFFCO TOKIO General Insurance Company Ltd. in this Court prays for time to obtain instructions regarding the present case. The notice of the case has also been served upon the said insurance company.

Considering his submission, time is granted to file a *vokalatnama* on behalf of the said company.

The learned counsel for the claimants is directed to comply the provision contained in section 169 of the Motor Vehicles Act, 1988 by furnishing all the documents in filing the claim application to *Mr. Sudip Das* learned counsel in course of the day and file a compliance report on the next date.

Counsel appearing for the claimants have filed an application for expunging the names of opposite party Nos. 2 and 4 from this case as no prayer has been made against them. Considering the nature of the case, the application (IA No. 1 of 2023) is hereby allowed.

The office is directed to take note of the order in the cause title of the case.

Contd.....

( Contd..... Or. No.02, dtd. 15/05/2023)

In addition to the above, the Officer-in-charge, Kotwali P. S., Cooch-Bihar is directed to furnish a report under **Form 54** in respect of the road traffic accident took place on 01/7/2022 [Kotwali P.S. Case No. 801 / 2023, dated 01/07/2023] in compliance with the direction passed by the Hon'ble Supreme Court of India in the cases of **Puttamma -versus- K.L. Narayana Reddy** reported in **(2013) 15 SCC 45**, and or, in **General Insurance Council -versus- State of A.P.** reported in **(2007) 12 SCC 354**.

A copy of this order be communicated to the Officer-in-charge, Kotwali P. S., Cooch-Bihar for compliance by the next date fixed below.

Fix **26/06/2023** for submitting Accident Information Report in **Form 54** by the police authority and filing *vokalatnama* by the opposite party No. 3.

Sd/- S.C.Polle  
**Judge, MAC Tribunal cum District Judge  
Cooch Bihar**