

MACC-734/2024

(CNR WBEM-0100-0004386-2019)

Present :Sri Shib Shankar Ghosh,JO Code No WBJO -00872 , Motor Accident Claim Tribunal Fast Track 1st Court, Tamluk

Order No. 07

Dated 09.12.25

Today is fixed for SR of opposite party No. 1, payment of DCF and hearing of the petition dt. 28/07/2025.

Hajira for claimants is filed.

Hajira for insurance company is filed.

Opposite party No.1 appears by filing a vokalatnama. Photocopy of smart card of the vehicle bearing registration No. WB30AR0261 being singed by him and attested by his ld. Lawyer is filed. Photocopy of insurance policy in respect of a Maruti EECO in the name of opposite party No.1 which is signed by him and attested by his ld. Lawyer is also filed. Written statement is also filed by opposite party No. 1. Let all the documents be kept in the record.

Claimants by firisty file photocopies of few documents. Let the same be kept in the record.

Record is taken up for hearing of the petition under section 169(2) of M. V. Act filed by insurance company.

Heard ld. Lawyer for insurance company. Objection is raised from the side of claimants and opposite party No.1. Perused the petition under section 169(2) of M. V. Act and record as well. By the petition insurance company has prayed for a direction upon claimants as well as opposite party No.1 to produce documents relating to the vehicle bearing registration No. WB-30AR/0261. The copies of smart card and policy in relation to offending vehicle are produced by opposite party No.1. However, details of driving licence of the driver of said vehicle are not mentioned in the charge sheet. Fitness certificate of the vehicle is also not produced. To have a proper defence to be taken by insurance company, the fitness certificate and particulars of the DL of the driver are needed. I, therefore, find merit

cont2/-

in the petition of insurance company which of why their prayer is allowed.

Claimants and opposite party No.1 are directed to produce the fitness certificate and copy of DL of the driver by the next date to be fixed.

With these, petition stands disposed of, on contest.

Claimants are further directed to pay the DCF on the next date. They are further directed to furnish up to date bank account details by the next date fixed so that if their claim succeeds, claim amount can directly be credited to their bank account by insurance company

Next date is fixed on **09.03.26** for production of above documents by claimants and opposite party No.1, payment of DCF and furnishing of bank account details by claimants and further order.

sd/-
D/C

ADJ, FTC-I, Tamluk
cum MACT, Tamluk,
Purba Medinipur,
JO-WB872

MACC-208/2023

(CNR WBEM-01-001564-2023)

DATE :- 19/08/2025

ISSUES

1. Is the claim case maintainable in its present form and law ?
2. Did Pritam Chakraborty die in road traffic accident as narrated in the claim petition ?
3. Was the vehicle bearing registration No. WB-02AL/0858 (Hyundai Creta) was involved in said accident ?
4. Did the said accident occur due to rash and negligent driving of the vehicle bearing registration No. WB-02AL/0858 (Hyundai Creta) by it's driver ?
5. Was the vehicle bearing registration No. WB-02AL/0858 (Hyundai Creta) covered during the above relevant period by an Insurance policy issued by insurance company ?
6. Are the O.Ps liable to pay compensation for the death of Pritam Chakraborty ?
7. To what other relief or reliefs, if any, petitioners are entitled ?

ADJ, FTC-I, Tamluk
cum MACT, Tamluk,
Purba Medinipur,
JO-WB872