

M.A.C.C.174/2024
(CNR No.001695-2024)

Order No.08 dated 10.09.2025

Today is fixed for hearing of the petition filed by the Opposite Party No.2 and for filing written objection, if any.

Both the sides are present before this Court and files their respective hajiras.

The Ld. Advocate for the Insurance Company Opposite Party No.2 produces a citation of the Solemn Judgement reported in 2025(1) T.A.C. 374 (S.C.) passed by the Hon'ble Supreme Court of India in the case of ICICI Lombard General Insurance Co. Ltd. Versus Rajani Sahoo and Others dated 2nd January, 2025. He submits before this Court that, there are numerous false cases which have been lodged with a motive of 'unjust enrichment' by different petitioners posing themselves as claimants under the Motor Vehicles Act and their claims were based on facts which are beyond reality. The deaths and injuries are being falsely shown as motor vehicle accidents and claims under the Act are being instituted falsely.

By producing the citation the Ld. Advocate for the Insurance Company O.P. No.2 prays before the Court to pass an order of "Stay of the instant proceedings" as various such matters are being clubbed together in a S.I.T. and be tried accordingly, with a purpose to unearth the veracity of the respective false claims. The Ld. Advocate for the Insurance Company O.P. No.2 however further submits that, this is one such false cases which is fit to be clubbed together and therefore, he prays before this Court to 'Stay the entire proceedings'.

On the other hand the Ld. Advocate for the claimant have refuted the submissions of the Ld. Advocate for the Insurance Company and submits that the instant claim case is filed in accordance with law and the question of it's genuineness will also be tried by this Tribunal. Any vague submission without any substance regarding the falsity of this claim is unjust and is only designed to delay the proceedings.

Having heard both the sides, this Court have perused the citation and the finding of the Hon'ble Supreme Court on 2nd January, 2025.

After perusal of the entire judgement this Court is of the opinion that in each such individual cases, FIRs are required to be filed by the aggrieved and on filing of the said FIR/s the matter may be clubbed together and dealt with accordingly.

In this case the Ld. Advocate for the Insurance Company O.P. No.2 did not produce any document to show that any such allegation in the form of FIR, etc. have been filed in respect of this claim.

In such circumstances, the submissions made by the Ld. Advocate for the Insurance Company O.P. No.2 is found to be vague and without substance.

Hence it is ordered,

that, **the prayer for 'Staying the instant proceeding' is rejected without cost.**

At the same time, a date may be fixed for further proceedings in this matter.

Fix **12.03.2026** for framing of issues.

D/C by me,

Addl. District Judge, 2nd Court,
Contai, Purba Medinipur

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