

M.A.C.C. 01 / 2023
(C.N.R. - WBHG05-000405-2023)

Present: Smt. Ratna Roy
(J.O. Code - WB00914)

Order No. 27 dtd. 24.07.2025

Hazirah is filed on behalf of the claimants. Hazirah is also filed on behalf of O.P. No. 1.

Today is fixed for compliance of Order No. 24 dated 21.01.2025 by O.C., Chanditala P.S.

O.C., Chanditala P.S. sent report. Let the same be kept with the record.

Ld. Advocate for the claimants stated that the report sent by O.C., Chanditala P.S. is not accident information report in Form 54 Rule 150(1) and (2) of the Motor Vehicles Act. A petition is filed on behalf of the claimants praying for direction upon the O.C. to be personally present with all papers of the seized vehicle.

Heard Ld. Advocate over the petition. Perused the case record.

On perusal, I find that accident information report in Form 54 had already been sent on 21.01.2025 and the report is lying with the record.

As per order No. 26 dated 23.04.2025 there was direction upon O.C., Chanditala P.S. to send insurance policy of the offending vehicle bearing registration No. WB-02AK/4124 and the driving license of the driver of the vehicle.

From the report sent by O.C., Chanditala P.S. today it is found that driving license of the driver of the offending vehicle could not be seized as the driver had neither surrendered before the court nor could be arrested by the I.O.

From the record I find that while filing this case the claimants had already filed xerox copy of the documents relating to the criminal case started against the F.I.R. This shows that the vehicle particulars including the insurance policy is already in possession of the claimants, otherwise in the claim application the claimants could not have mentioned the insurance policy number and could not have included the insurance company as one of the O.P.s. I thus do not find any justification in allowing the petition filed by the claimants today. Hence the petition as filed by the claimants stands rejected.

Today was also fixed for taking fresh steps upon O.P. No. 2 insurance company.

No step is taken by the claimants.

Fix **02.09.2025** for taking steps upon O.P. No. 2 insurance company as last chance, in default, the case shall be dismissed.

Dictated & Corrected by me.

Sd/- (Smt. Ratna Roy)
Judge, M.A.C.T.

Sd/- (Smt. Ratna Roy)
Judge, M.A.C.T.-cum-
Additional District Judge,
1st Court, Serampore,