

MACC 19/2019

Order No.33
dtd.25.08.2025

Today is the date fixed for hearing of the petition.

Petitioner files hazira together with a list of certified copy of documents in a form of fristi. Let the same be kept with record.

The OP is absent without any steps.

From the case record, it is apparent that an application under Order 1 Rule 10 (2) of CPC has been filed by the OP No. 2 of Bajaj Allianz General Insurance Co. Ltd. with the prayer for expunging the company from the present case.

Perused the petition and the documents so annexed.

Upon perusal of the case record, it is seen that the petitioner by filing a petition under Order 1 Rule 10 of CPC on 01.04.2024, implicated OP No.2 Bajaj Allianz General Insurance Co. Ltd.

Ld. Advocate for the petitioner by filing bunch of documents, further contended that on the basis of Insurance Policy which was seized by the police vide its seizure list dtd. 03.07.2017, the validity of the same was upto 10.05.2018, and the policy number which is reflected at the seizure-list has been duly mentioned at the claim/petition, hence, the OP No. 2 implicated.

In the above facts, it is submitted that the present case is maintainable against OP No. 2 also.

The facts remains that this is an application u/s 163A of MV Act, 1988 (before amendment), which provide for no fault liability as per clause (2) of 163 (A).

But on the other hand due to absence of Ld. lawyer of the OP No. 2. It would be not proper to proceed with hearing today.

Thus, the case is adjourned accordingly.

Fix 24.12.2025 for further hearing.

Ld. Advocate of OP No. 2 is directed to present in the next date.

Dictated & corrected by me ;

Judge, MAC Tribunal,
Fast Track 2nd Court, Apd.

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Fast Track 2nd Court, Apd.
(WB-01097)