

MACC No. 31/14 (172/15)

06.09.2023

Today is fixed for evidence of PW1.

The OP no.2, 3 and 4 and the petitioner all filed hazira.

No step is taken by OP no.1.

It appears from record that the OP no.1 is not contesting the case after filing WO on 24.02.15. Let the case be proceed ex-parte against OP no.1.

The OP no.1 is the owner of the vehicle no.NL-02K/1435 (Oil Tanker) and the OP no.2 is the Insurance Co. of the said vehicle.

The OP no.2/Insurance Co. has filed a petition today u/s 170 of MV Act stating that the OP no.2 is praying for liberty to avail the defence available the owner of the vehicle.

Heard both sides. Considered.

As the owner of the vehicle NL-02K/1435 (Oil Tanker) is not contesting the present case hence OP no.2 the Insurance Co. of the said vehicle can take the defence available to the owner of the vehicle as per law.

The petition u/s 170 MV Act is thus allowed and disposed of.

Dictated & Corrected by me

Judge, MAC Tribunal
1st Court, Purulia.

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1st Court, Purulia.