

Order no. 47,  
Dated : 11.02.2025

The contesting parties i.e the Petitioner and also the Ld Advocate for the National Insurance Co. Ltd are present. The Petition U/S 169(2) of the Act as filed by the Petitioner seeking direction upon the concerned Insurance company to produce the original Insurance Policy, is taken up for hearing.

Heard both sides. In view of the submission and on perusal of the record it appears that a plea was earlier taken by the Ld Advocate for the O.P no.2 that the Insurance policy exhibited by the Petitioner is inappropriate and therefore is invalid. The Petitioner therefore has filed the present petition for necessary direction. In the present circumstances I am of the opinion that for the proper adjudication of the case beyond the shadow of all doubts the original Insurance policy lying with the OP no.2 the Insurance company should be brought before the Court.

I therefore is inclined to allow the instant petition with a direction upon the National Insurance Company Ltd to produce the original Insurance policy relating to the Offending vehicle positively on the date as fixed.

The Petition U/S 169(2) of the Act is accordingly allowed.

To 11.03.2025 for filling original Insurance policy relating to the Offending vehicle having no. WB 19G 4248 Positively and evidence.

Additional District and Sessions Judge  
(Fast Track) Court – I,  
Diamond Harbour, South 24 Parganas