



MACC/447/2023

Arbin Bhagat and others Vs. The New India Assurance co Ltd.

Order No. : 20

Dated : 19.02.2026

Today is fixed for evidence of petitioner/claimant.

Petitioners/claimants files hazira along with one eye witness and files examination in chief supported by affidavit of witnesses namely, Neha Bhagat and Ajoy Bhagat as PW- 1 and 2 respectively.

Copy served to the other side.

O.P. Insurance Company files hazira through their lawyer and prays for allowing petition u/s- 170 of the M.V. Act filed on 06.11.2025 by the Insurance Company to contest the claim.

Heard Considered and prayer is allowed.

PW-1 and 2 namely, **Neha Bhagat and Ajoy Bhagat**, both are examined in chief and cross in full and closed and discharged.

1. Certified copy of formal F.I.R dated 17.07.2023 be marked as **Exhibit no.- 1.**
2. Certified copy of the written complaint dated 17.07.2023 be marked as **Exhibit no.- 2.**
3. Certified copy of seizure list dated 17.07.2023 be marked as **Exhibit no.-3.**
4. Certified copy of charge-sheet dated 28.02.2025 be marked as **Exhibit no.- 4.**
5. Photocopy of registration of vehicle no. WB-92G/7689 be marked as **Exhibit no.- 5.**
6. Tax token dated 26.11.2022 of offending vehicle no. WB-92G/7689 be marked as **Exhibit no.-6.**
7. Photocopy of Insurance policy No. 98000031220912369235 valid up to 20.11.2025 be marked as **Exhibit no.-7.**
8. Photocopy of driving licence of driver Md. Sarifat of offending vehicle be marked as **Exhibit no. 8 (with objection).**
9. Photocopy of letter of authorisation of driver Md. Sarifat be marked as **Exhibit no. 9.**
10. Photocopy of postmortem of deceased Rekhadevi Bhagat @ Rekha Bhagat be marked as **Exhibit no.- 10.**
11. Photocopy of Aadhaar card of deceased Rekhadevi Bhagat @ Rekha Bhagat be marked as **Exhibit no.- 11.**
12. Photocopies of Aadhaar cards of PW-1 namely, Neha Bhagat, Arbin Bhagat and Gyan Bhagat be marked as **Exhibit no.- 12 series.**
13. Report of Yuvaan Hospital dated: 17.07.2023 be marked as **Exhibit no. 13.**
14. Two receipts of Satipukur Samsanghat under Islampur Municipality be marked as **Exhibit no.- 14 series.**
15. Original money receipts and final bills of Yuvaan Hospital of treatment of Rekhadevi Bhagat @ Rekha Bhagat be marked as **X for identification.**

Petitioner files a petition and prays for time for further evidence on the ground stated therein.

Heard. Considered and prayer is allowed.

Fix 08.05.2026 for further evidence of petitioner/claimant.

(Binay Kumar Nonia)
J.O. Code : WB01032
MAC Tribunal Judge, 2nd Court
Islampur, Uttar Dinajpur