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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ MAC.APP. 159/2022 & CM APPL. 26956/2022

HDFC ERGO GENERAL INSURANCE CO. LTD. .....Appellant

Through: Ms. Heeba Ansari, Advocate for Mr. Sameer Nandwani, Advocate for appellant.

versus

SANTOSH DEVI & ORS. .....Respondents

Through: Mr. S. N. Parashar, Advocate for R1/Claimant.
Mr. Navneet Goyal, Advocate for R-4.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

O R D E R

% 24.01.2025

1. The learned counsel for the appellant submits that the insurance policy of one of the offending vehicles, due to which the liability was fastened on the appellant, is fake.

2. She submits that the learned Tribunal erroneously held that even if the policy is fake, the liability can still be passed on to the insurance company since it is the duty of the insurance company to ensure that no fake insurance policies are issued by illegal portals.

3. She submits that as and when such illegal portals are brought to the knowledge of the insurance company, a complaint is given to the police authorities, however, it is not the duty of the insurance company to maintain law and order.

4. She further submits that the other offending vehicle involved in the accident was insured with Respondent No.5 and

they should be directed to pay the entire compensation.

5. Today none appears on behalf of Respondent No.5/Oriental Insurance Co. Ltd.

6. In the interest of justice, adverse orders are deferred.

7. List on 02.05.2025.

AMIT MAHAJAN, J

JANUARY 24, 2025

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