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

+ **MAC.APP. 35/2020 AND CM APPL. 3130/2020**

NEELAM SHARMA & ORS

..... Appellants

Through: Mr. Advocate (*appearance not given*).

versus

PRAVEEN BHARDWAJ & ANR (M/S TATA AIG GENERAL INSURANCE)

..... Respondents

Through: Ms. Vandana Kahlon and Mr. Rudra Kahlon, Advocates for R-2 (*through video conferencing*).

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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26.08.2022

It is submitted by learned counsel for the appellant that learned Tribunal has wrongly discarded the testimony of PW-2 who was the eye witness of the accident and to whom respondent no. 1 has handed over his license at the spot on the date of the accident. He has drawn the attention of this Court to the cross-examination of PW-1. It is further submitted that cross-examination of PW-1 was done on behalf of the respondent no. 1. It is further submitted that even in the cross-examination, there is not even a suggestion to this witness that the respondent no. 1 has never handed over his licence to PW-1. It is further submitted that respondent no.1 never lodged any NCR and police report with regard to the loss of licence which gives strength to the case of the appellant who has handed over licence to



PW-1 at the spot on the date of the accident.

Issue notice to respondent no. 1, on steps being taken by the appellant by all possible modes returnable on 18th January 2023.

Learned counsel for respondent no.2 states that he has not received the copy of the paperbook. Let the same be supplied to him within a week.

RAJNISH BHATNAGAR, J

AUGUST 26, 2022

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