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

+ **MAC.APP. 971/2018**

RESHAM PAL

..... Appellant

Through: Mr.Aditya Aggarwal, Advocate

versus

HDFC ERGO GENERAL INSURANCE CO LTD & ORS

..... Respondents

Through: Mr.Junaidullah, Advocate for R-1

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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31.10.2018

CM APPL.45872/2018

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CM APPL.45873/2018

For the reasons mentioned in the application, the delay in filing the appeal is condoned and the application is disposed of.

MAC.APP. 971/2018 & CM APPL.45871/2018

Learned counsel for the appellant has submitted that the appellant is the driver as well as owner of the offending vehicle. He has further submitted that so far as holding of a valid licence on the date of incident is concerned, the appellant was not holding the same, however, as per the terms of policy of the insurance company, the liability vests on them that he was disqualified from holding or obtaining the driving license during that



period. In support of his arguments, he has relied upon judgment titled ***The Oriental Insurance Company v. Mohammed Sab Ali Sab Kaladagi & Ors.***

Notice. Mr.Junaidullah, Advocate enters appearance on behalf of respondent No.1 and accepts notice.

Reply, if any, be filed within four weeks. Rejoinder thereto, if any, be filed within four weeks thereafter.

List on 28.01.2019.

As prayed, copy of this order be given *dasti* to the parties.

I.S.MEHTA, J

OCTOBER 31, 2018

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