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

+ MAC.APP. 1147/2018 & CM APPL. 53670/2018

BALRAJ SINGH

..... Appellant

Through: Ms. Pooja Singh, Mr. Vivek
Bhadauria and Mr. Vishal
Srivastava, Advs.

versus

M/S HDFC ERGO GENERAL INSURANCE CO LTD & ORS

..... Respondents

Through: Mr. Sameer Nandwani, Adv.

+ MAC.APP. 263/2019 & CM APPL. 7820/2019, CM APPL.
18095/2023

M/S HDFC ERGO GENERAL INSURANCE CO LTD

..... Appellant

Through: Mr. Sameer Nandwani, Adv.

versus

SATWANTI DEVI & ORS

..... Respondents

Through: Ms. Pooja Singh, Mr. Vivek
Bhadasha and Mr. Vishal Rishi,
Advs. for R-5

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

18.03.2024

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1. This hearing is being conducted through hybrid mode.
2. The aforesaid two appeals arise out of the same judgment-cum-award dated 06.10.2018 passed by the learned ADJ/Presiding Officer, MACT, South-East District, Saket Courts, New Delhi.
3. The long and short of the submissions made by the learned



counsels for the parties is that in terms of order dated 27.02.2020, an enquiry had been directed by this Court so as to verify whether there existed a valid driving license in the name of respondent No.4 viz. Mohd. Hafiz or not?

4. It appears that the said directions have been passed in the backdrop that another license bearing the same number had been issued by the authority on the same day in favour of another person, namely Umar Mohammad.

5. In MAC. APPL. No. 263/2019 an application has also been moved on behalf the appellant/Insurance Company under Order XLI Rule 27 of the CPC for leading additional evidence on the issue as to whether or not the driving licence issued in favour of respondent no.4 Mohd. Afiz was valid or not on the date of accident.

6. In the said circumstances, the application is allowed and appellant/Insurance Company is given the liberty to summon the concerned official witnesses from the office of Regional Transfer Authority, District Nuh, Mewat, State of Haryana. The witness be summoned at the cost and expense of the appellant/Insurance Company.

7. Re-notify the matter before the Joint Registrar for scheduling convenient dates for recording of evidence on 06.05.2024.

DHARMESH SHARMA, J.

MARCH 18, 2024

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