

Court No. - 33

Case :- WRIT - A No. - 23415 of 2012

Petitioner :- Manoj Kumar Rastogi

Respondent :- Chairman Cum Managing Director, Oriental Insurance Com.& Ors

Counsel for Petitioner :- Siddhartha Varma, Bipin Lal Srivastava

Counsel for Respondent :- C.S.C., Nagendra Kumar Srivastava, S.C.

Hon'ble Manoj Misra, J.

Hon'ble Ved Prakash Vaish, J.

The case has been called out in the revised list. Sri S.K. Varma, learned Senior Counsel and Sri Bipin Lal Srivastava are present for the petitioner. No one is present for the Insurance Company though the name of Sri Nagendra Kumar Srivastava is shown from the opposite side.

From the record, it appears that no counter affidavit has been filed. Moreover, from the order sheet, it appears that on 3.10.2017 Sri Nagendra Kumar Srivastava was given time to file counter affidavit but till date no counter affidavit has been filed.

Let this matter be listed after six weeks. In the meantime, the respondents shall file counter affidavit. Alongwith counter affidavit the relevant management exhibits which were relied upon by the Inquiry Officer in the report shall also be produced. Further, it shall be specifically stated in the counter affidavit whether in the Motor Accident Claim, the cover note, alleged to have been issued by the petitioner, was set up/filed by any of the party or not because it is the case of the petitioner that the cover note was never issued and, in fact, the cover note was not relied upon for making any claim of Insurance.

List this case on 26 September, 2018.

Learned counsel for the petitioner shall inform Sri Nagendra Kumar Srivastava about this order in writing within 72 hours.

(V.P. Vaish, J.)

(Manoj Misra, J.)

Order Date :- 10.8.2018

AK Pandey