

HIGH COURT OF CHHATTISGARH, BILASPUR

WP (227) No.257 of 2017

ICICI Lombard General Insurance Co. Ltd., through its Branch Manager, ICICI General Insurance Co. Ltd., Vanijya Bhawan, Devendra Nagar Chowk, Sai Nagar, Raipur (CG)

---- Petitioners

Versus

- 1.** Bhagwat Prasad Sharma, son of Late Shri Ganesh Prasad Sharma, aged about 56 years
- 2.** Smt. Pushpa Sharma, wife of Shri Bhagwat Prasad Sharma, aged about 52 years
- 3.** Madhu Sharma, daughter of Shri Bhagwat Prasad Sharma, aged about 28 years

Respondent No.1 to 3 residents of House No.E-1, Near Electricity Board Sub-Station, Jamul, Durg, District Durg, Chhattisgarh

- 4.** Amar Shivaji Chauhan, son of Shri Shivaji Chauhan, aged about 32 years, resident of Ganga Nagar, Near Farsungi Water Tank, Tehsil Haveli, District Pune, Maharashtra
- 5.** Rahul Vinay Bhai Thakker, resident of S.R. No.215/1-B/4-4., Ganga Nagar, Farsungi, Tehsil Haveli, District Pune, Maharashtra

---Respondents

For Petitioner	:	Mr.Amrito Das, Advocate
For Res.No.1 to 3	:	Mr.Neeraj Pradhan, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

26/04/2017

Heard

- 1.** By the impugned order, opportunity of the petitioner to lead evidence by appointed Commissioner has been closed.
- 2.** Learned counsel appearing for the petitioner and

respondents No.1 to 3 would jointly submit that by setting aside the impugned order fixed date for 30th and 31st May, 2017 be given for examination of officers of IBM Company placed at Pune and RTO, Pune/any other officer of the RTO, Pune.

3. Since opportunity to lead evidence has been closed and joint prayer has been made to give an opportunity, it would be in the interest of justice to give the parties an opportunity to lead evidence.
4. Accordingly, the order impugned is set aside. The petitioner/claimants are directed to examine officers of IBM Company placed at Pune and RTO, Pune/any other officer of the RTO, Pune on 30th and 31st May, 2017 and submit report latest by 15th June, 2017 to the Claims Tribunal. The petitioner will pay cost of Rs.5000/- to the High Court Legal Aid Committee within two weeks from today.
5. The writ petition is allowed to the extent indicated hereinabove.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-