

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 702 of 2018**

1. Sandeep Bansal S/o Ramnarayan Bansal, aged about 33 years, R/o Gandhi Ganj, Raigarh, Tahsil and District Raigarh (C.G.).....(Newly added Defendant) **---- Petitioner**

Versus

1. Sunil Kumar Panda, S/o Goverdhan Panda, aged about 24 years, R/o Chandrapur, Tahsil Dhabra, District Janjgir Champa(Driver of the Vehicle)
2. Raj Kumar Sahu, S/o Kaushal Sahu, aged about 43 years, R/o Kotmikala, Thana Pendra, District Bilaspur (C.G.)..... (Registered Owner of the Vehicle)
3. The Oriental Insurance Company Ltd. Branch Bilaspur, District Bilaspur (C.G.)
4. Pant Ram Bhagat, aged about 52 years, S/o Hiralal Bhagat, R/o Village Shrikot, Post Jawahar Nagar, Thana Kusmi, Shrikot, Balrampur (C.G.), presently residing at Barhagunda Chaarpali (Chandrapur), Thana – Chandrapur, Tahsil – Dhabra, District Janjgir Champa (C.G.)..... (Claimant) **---- Respondents**

For Petitioner	:	Shri Hari Agrawal, Advocate.
For Respondent No. 3	:	Shri Pankaj Agrawal, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****21/08/18**

1. This writ petition is directed against the order dated 04.05.2018 (Annexure – P/1) passed by the learned Claims Tribunal whereby the petitioner has been impleaded as party / non-applicant in the claim petition.
2. Learned counsel for the petitioner would submit that petitioner is a person dealing with the sale and purchase of second hand vehicle and the offending vehicle is in the name of respondent No. 2 who is the registered

owner of the said vehicle. To buttress his submissions, learned counsel for the petitioner has relied upon the decision rendered by Supreme Court in the case of **Naveen Kumar v. Vijay Kumar and Others**¹.

3. I have heard learned counsel for the petitioner.

4. Since, the petitioner has been impleaded as party / non-applicant in the claim petition, he would be at liberty to file reply and claim deletion of his name stating he is not necessary party and that he is not liable for any compensation. In such an event of filing of reply by the petitioner, the Claims Tribunal shall do well to consider and decide the petitioner's objection strictly in accordance with law.

5. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

SD/-

(Sanjay K. Agrawal)
Judge

Priyanka

¹ (2018) 3 SCC 1