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

+ CM(M) 1046/2018 & CM APPLs. 36188-89/2018

UNITED INDIA INSURNACE CO LTD Petitioner

Through: Mr. Abhishek Kumar, Advocate

versus

VIJAY PAL & ORS Respondents

Through: Ms. Gunjan Sinha Jain, Advocate for

R-3

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

05.09.2018

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Impugned order of 23rd February, 2018 rejects petitioner's application for deletion of petitioner from the array of parties. Upon notice of this application, learned counsel for respondent – Air India Limited submits that insurer in respect of policy in question is New India Assurance Co. Ltd.

Upon hearing and on perusal of impugned order, I find that the impugned order does not take note of '*Hull and Spares All Risks Insurance*'. Since the counsel for respondent - Air India submits that the insurance company to be proceeded with is New India Assurance Company, therefore the impugned order is set aside and petitioner's application under Order 1 Rule 10 CPC is allowed with direction that petitioner be deleted from the array of parties.

With the aforesaid directions, this petition and the applications are disposed of.

(SUNIL GAUR)
JUDGE

SEPTEMBER 05, 2018

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