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C.M.P.No.3672 of 2020

in

C.M.A.No.3175 of 2019

R.SUBRAMANIAN, J.

and

SATHI KUMAR SUKUMARA KURUP, J.

This petition has been taken out by the appellants to implead the owner and the insurer of the lorry driven by the deceased. The Tribunal has non-suited the claimants on the ground that the accident occurred due to the negligence of the deceased. The present attempt by the claimants is to seek compensation from the owner and the insurer of the lorry, which was driven by him.

2. Without prejudice to the contention of the Insurance Company regarding the maintainability of the claim under the Motor Vehicles Act, this petition is ordered, the proposed respondents namely, respondents 3 and 4 in C.M.P.No.3672 of 2020 are impleaded as respondents 3 and 4 in the above appeal.

3. Mr.S.Arunkumar takes notice for the 4th respondent.

4. Notice to the 3rd respondent in the Civil Miscellaneous Appeal returnable by 09.02.2023. Private notice is also permitted. Batta to be paid by 12.01.2023.

(R.S.M., J.) (S.S.K., J.)

05.01.2023

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