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

+ **MAC.APP. 496/2019**

SUMAN DEVI & ORS

.....Appellants

Through: Mr.S.Murli Manoharam and Mr.
Akhilendra Nath, Advocates.

versus

**ASHOK KUMAR & ANR (ICICI LOMBARD GENERAL
INSURNACE CO LTD)**

.....Respondent

Through: Mr. A.K.Soni, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

22.10.2024

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1. Learned counsel for the Appellants admits that he has filed a petition under Section 163A of the Motor Vehicle Act but because the deceased himself was driving the motorcycle, he was fully entitled to personal Insurance cover of Rs.2 lakhs which has already been paid by the Insurance company.
2. The learned Tribunal had converted the petition under Section 163A into 166 of the Motor Vehicle Act but because the offending vehicle was untraced, the claim petition has been dismissed.
3. After some arguments, the Appellant seeks permission to withdraw the present Appeal without prejudice to his rights to claim compensation under any scheme, if available.
4. Appeal is permitted to be withdrawn.
5. The Appeal is disposed of accordingly along with the pending application.

NEENA BANSAL KRISHNA, J

OCTOBER 22, 2024/rk