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

+ **CM(M) 1/2024**

SACHIN AWANA AND ANR Petitioners

Through: Ms. Manveen Dhanjal,
Advocate.

versus

NEW INDIA ASSURANCE CO LTD AND ORS

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **15.01.2024**

CM APPL. 20/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This is a petition under Article 227 of the Constitution of India whereby the petitioners, viz. owner and driver of the offending vehicle involved in the incident, have assailed the impugned order dated 13.07.2023 passed by the learned Presiding Officer, MACT (South-East), Saket Court, New Delhi, whereby the petitioners have been impleaded as respondents in the pending proceeding.

4. It appears that an application under Order I Rule 10 CPC was moved on behalf of the respondent/insurance company and it was alleged that the petitioner No.1 was the owner of the vehicle whereas the petitioner No.2 was driving the same under the influence of



alcohol.

5. After some arguments, learned counsel for the petitioners submits that she may be allowed to withdraw the present petition with liberty to move an application under Order I Rule 10 CPC for striking off the name of the petitioners from the array of parties before the Court concerned.

6. Present petition is accordingly dismissed, as withdrawn with liberty to the petitioners to move appropriate application before the court concerned as per the law.

DHARMESH SHARMA, J.

JANUARY 15, 2024/ck