

Usha & Another Vs. Future General Insurance company & Another

Present: Sh. Madan Singh, Counsel for claimants.
Sh. Shubham Chandel, counsel for respondent no. 1.
Shri Brinder NS Sharma, counsel for respondent no. 2.

Amended title has been filed today.

Written statement on behalf of respondent no. 1 has been filed.

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Arguments heard on the point of framing of issues. From the pleadings of the parties, following issues are framed :-

- (i) Whether the accident has been caused on 11.09.2022, on account of rash and negligent driving by the driver of vehicle bearing no. PB-79-0072? OPP
- (ii) If Issue no.1 is proved, then as to whether the claimants are entitled to get compensation on account of death of Anoop Kumar @ Anoop Singh, if so to what amount? OPP
- (iii) Whether the driver of the offending vehicle was having valid and effective driving licence at the time of accident? OPR
- iv) Relief.

No other issues is pressed or claimed

Due to 'heavy pendency', 'action plan and other older,' 'custody' and 'time bound' cases fixed in between, adjourned to 04.07.2024 for evidence of the claimant, on filing of PF/DM and list of witnesses. Claimant evidence be produced/summoned for the date fixed. Dasti summon be given, if requested.

In the meantime, invoking the provision under section 89 of the CPC, matter is referred to Mediation Centre, Chandigarh for the purpose of exploring chances of compromise between the parties. Both the counsels for the parties are directed to remain present in the Mediation Centre, Chandigarh on 04.03.2024 , along-with their respective parties for the said purpose.

Report from Mediation Centre be also awaited for the date fixed i.e.

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Date of order:26.02.2024

Dr Rajneesh, MACT/CHD