

M No. 14/21
CNR No. DLET01-000882-2021
Chander Prakash Singh & Ors. Vs. Praveen Bhati & Ors.

18.03.2021

Present : Sh. Hamid Mohd, Ld. Counsel for applicant / respondent No. 2
Sarfraz Hussain.
Sh. J.P. Rajput, Ld. Counsel for non applicant / petitioner.

Amended memo of parties not filed. Be filed by the next date.
Copy of application and supporting documents supplied to the
non applicant.

Part arguments addressed.

It is mentioned by counsel for applicant that respondent No. 2 was never served with notice of the claim petition and his signatures on the notice appears to be forged. It is further mentioned that even he had not applied for release of his motorcycle on superdari and the application filed for release in the court is also not having his genuine signatures. It is further emphasized that the motorcycle was stolen several years prior to the accident in question and information in this regard had already been sent to concerned PS. On the other hand, Ld. counsel for non applicant stated that the notice was claim petition was duly served on the applicant and the present application has been filed just to avoid the recovery of the compensation amount.

At this stage, it is submitted on behalf of applicant that he is willing to deposit a security amount of Rs. 1 lakh within a week and therefore the recovery proceedings may be stayed.

Considering the aforesaid submissions at bar, the recovery proceedings against applicant / respondent No. 2 Sarfraz Hussain is stayed till next date subject to deposit of Rs. 1 lakh in court in the form of FDR, within a week.

To come up for reply and arguments on the application under Order 9 Rule 13 CPC on **24.04.2021**.

Copy of the order be given dasti to the respondent No. 2, as prayed for.

(Vivek Kumar Gulia)
PO MACT (East)/KKD
Delhi/18.03.2021