

6 M A C T No. 866/22

RAJENDER PD SHARMA VS. NATIONAL INSURANCE CO.

04.07.2024

Pr: Sh. Anil, Clerk of Petitioner.

Sh. Vikas Vats, Proxy counsel for Sh. V.K. Gupta, Ld.
Counsel for Insurance Company/R1

In the present matter, summon was directed to be issued to newly impleaded LR of R2 and as per report, service was duly effected on wife of LR of R2 on 12.02.2024 but till date, no appearance has been entered on behalf of R2. Since none is appearing for the LR of R2 namely Gurcharan Singh and since statutory period for filing of WS has already been elapsed, therefore, defence of said LR of R2 stands struck off and he is also proceeded against exparte.

An application filed on behalf of petitioner for seeking interim compensation. Copy supplied.

Heard and record perused.

On the basis of pleadings of the parties, following issues are being framed:

1. Whether on 11.06.2013 at about 12.30 pm, near Kainchi Mod, near Pandoh Dam within the jurisdiction of Police Chowki Pandoh, District Mandi, Himachal Pradesh, the petitioner Rajinder Prasad Sharma was travelling in bus bearing no. UP17T 5772 which was being driven in a rash and negligent manner by its driver Subhash Chand had collided against a big stone and thereby caused injuries to petitioner Rajinder Prasad Sharma? OPP
2. Whether petitioner is entitled to compensation, if so, to what amount and from whom? OPP
3. Relief.

Be put up for PE as well as for consideration of said application for 05.10.2024.

Petitioner is directed to give advance copy of the affidavit of witness to respondents one month prior to the next date of hearing.

Petitioner may also take steps to summon the witness, if so required, expeditiously.

(Shama Gupta)
PO MACT (N/W)
Rohini Courts: Delhi
04.07.2024