

MACP No. 87/2018
Sapna Kumari & Ors. vs. Sunita Srivastava & Anr.

04.08.2022

Present : Sh. Upendra Singh, counsel for petitioners.
Sh. Rajesh Goel, counsel for R2/ insurer.

Notice issued to R1 for appearance today, has been served through publication in newspaper Vir Arjun, dated 20.07.2022. Copy of newspaper is received along with the report. Since, R1 Sunita Srivastava has not turned up, despite being properly served, she is proceeded ex-parte.

Heard. File perused. On the basis of pleadings and supporting documents, following issues are framed:-

- (i). Whether Mr. Umesh Kumar Sharma died in a motor vehicular accident happened on 19.03.2018 at 07:00 p.m. at District Jaisalmer, Rajasthan, within jurisdiction of PS Sam, due to rash and negligent driving of offending vehicle (Fortuner) bearing Engine No. 1GDA151611, Chasis No.MBJAA3CS400530085-1217, driven by Mr. Anurag Kashyap, deceased husband of respondent No.1/ Sunita Srivastava? **(OPP)**
- (ii). Whether the petitioners are entitled to compensation on account of said death and if yes, to what extent and from whom? **(OPP)**
- (iii). Whether the petitioners are entitled to interest on the award amount, if so, at what rate and for which period? **(OPP)**
- (iv). Relief?

List of witnesses be filed within two weeks. Steps be taken for summoning of the witnesses within two weeks. Copy of the affidavits be supplied in advance to counsel for the respondents against acknowledgment in writing.

To come up for PE on 30.11.2022.

(RAJRANI)
PO MACT (East)/ KKD
Delhi/04.08.2022