

Suit No. 152/17

22.01.2018

Present : Sh. Narender Gautam, Advocate for the petitioner.
Sh. Avinash Mishra, Advocate with R-1 and R-2.
IO SI Nehit Phogat is present.

Reply filed by the respondent No. 1 and 2 (without affidavits). Let supporting affidavits be filed. Ld. counsel for the respondent No. 1 and 2 is seeking copy of DAR. IO has got photocopied from the copy of DAR available on the file of the Tribunal and provided it to the respondent No. 1 and 2 against acknowledgement on the margin of the order-sheet.

The respondent No. 1 and 2 shall deposit security amount in terms of order dated 23.12.2017 within two weeks. Heard.

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

(i) Whether Mr. Raman Kumar suffered injuries in a motor vehicular accident on 07.09.2017 at about 12.10 a.m. near *Akshardham* Flyover, Delhi within jurisdiction of PS Shakarpur due to rash and negligent driving of motor vehicle bearing registration No. DL 3C AS 3228 (*Mahindra Scorpio*) by the respondent No. 1 / Vishal Sadana?

(OPP)

(ii) Whether the petitioner is entitled to compensation, if so, to what amount and from whom?

(OPP)

(iii) Whether the petitioner is entitled to interest on the award amount, if so, at what rate of interest and for which period?

(OPP)

(iv) Relief?

Let list of witnesses be filed within two weeks from today and thereafter, steps be taken for summoning witnesses / record within two weeks on PF. Affidavits of the witnesses be supplied two weeks in advance to counsel for the respondents in their chambers not by way of registered AD post or courier against acknowledgement to be filed on the file of the Tribunal. In case of any laxity in the compliance of any direction contained in the order, the petitioner will not be entitled to interest from the date of framing of issues till the compliance of the order. This order will be treated as a final order and will be read at the time of judgment and no further order will be passed. The petitioner has his bank account in Punjab National Bank, Vill. Burari, Delhi-110084. Following direction dated 15.12.2017 in *Sobat Singh versus Ramesh Chandra Gupta & Anr.*, MAC APP. 422/2009, Manager, Punjab National Bank, Vill. Burari, Delhi is directed not to issue any cheque book and / or debit card to the petitioner / Raman Kumar and if the same have already been issued, the concerned bank is directed to cancel the same and make an endorsement on the pass-book of the petitioner to the effect that no cheque book and / or debit card shall be issued without the permission of the Tribunal. The petitioner is directed to produce copy of the order before the concerned bank whereupon the bank is directed to make an endorsement on the pass-book.

The petitioner is directed to produce the original pass-book with the necessary endorsement as well as *aadhaar* card and PAN card before the Tribunal. The concerned Bank Manager shall send a letter from his desk to the Tribunal regarding compliance of the order. The Tribunal will also make inquiry regarding endorsement from IO or police. To come up for entire PE on **24.03.2018**. *Dasti*.

Sanjay Sharma
PO MACT (East)/KKD
Delhi/22.01.2018