

M.A.C.T 30/17
KAVITA SHARMA Vs. HARSH

18.12.2024

One regular Stenographer is on leave today.

Present : Ms. Kanta Chaudhary, Ld. Counsel for petitioner by VC.
Sh. Vishwanath Pratap Singh, Ld. Counsel for R-1.
R-1 in person.
R-2 is ex-parte.

Heard. Record perused.

Report of the SHO concerned received as per which the application of the IO for cancellation of Superdari of the offending vehicle is still pending before Ld. JMFC concerned, New Delhi District and there NDOH there is 13.01.2025.

The report also contains the status of the movable and immovable properties of R-1 and R-2.

Another report has been received from ASI Chander Pal Sharma wherein it is submitted that R-2 is lodged in *Central Jail no. 3, Tihar Jail in FIR No. 474/2013 PS Patel Nagar; FIR No. 230/11 PS EOW; FIR No. 31/15 PS EOW and FIR No. 332/07 PS Janak Puri.*

Issue P/W against R-2 for the NDOH.

Issue notice to the SHO concerned with the direction to ensure supply of DAR to R-2 through the Jail Superintendent concerned at Central Jail No. 3, Tihar within 30 days of receipt of this notice with

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compliance report on the NDOH.

The Jail Superintendent concerned shall ensure that copy of the DAR in the matter shall be supplied to R-2.

The Jail Superintendent concerned as well as the SHO concerned shall file the compliance report on the NDOH.

Copy of this Order be dispatched to the SHO concerned as well as Jail Superintendent concerned along with the notice for compliance.

Let copy of this Order be also dispatched to the Secretary, New Delhi DLSA with a request to appoint a Legal Aid Counsel for R-2 Sh. Abhishek Joshi who is lodged in Tihar Jail in the case FIRs mentioned in the preceding paras.

At this stage, an application has been moved u/O 9 R 7 CPC r/w sec 5 of the Limitation Act by R-1 for setting aside the ex-parte Order dated 25.05.2022. Let copy of this application be supplied to Ld. Counsel for the petitioner.

Now to come up for appearance of R-2 as well as arguments on the above mentioned application u/O 9 R 7 CPC of R-1 on 19.03.2025.

**(Vrinda Kumari)
Judge / PO, MACT
New Delhi/18.12.2024(R)**