

D-1018/2020 & D-1019/2020

Neetu & Ors. and Mannan R. Datta Vs. Anil Kumar @ Bachhu & Ors.

20.02.2020

**Detailed Accident Information Report (DARs) filed.
It be checked and registered.**

Present: Sh. Anand K. Chauhan, Counsel for the petitioners of D-1018/2020.
Sh. N. Prabhakar, Counsel for the petitioner of D-1019/2020.
R-1 in person.
Sh. Ravi Shankar Bansal, Attorney of R-2 in person.
Proxy Counsel for R-3/Insurance Company.
IO/SI Lala Ram in person.

Two connected Detailed Accident Reports arising out of the same accident have been filed by IO/SI Lala Ram in form no. 54 of Central Motor Vehicle Rules alongwith photocopies of criminal record. Copies supplied. One memo of appearance has been filed on behalf of the petitioner of D-1019/2020. It is stated that Vakalatnama on behalf of petitioners of other DAR stands already filed along with the application under Section 158 (6) of the MV Act fixed for today. Copy of one GPA executed by R-2 is also placed on record. Copy supplied.

Ld. Proxy Counsel for insurance company has filed vakalatnama and it is stated that written statement/offer of settlement will be filed by the next date.

Parties to file their affidavits with respect to the statements made in the DARs.

The insurance company is directed to file its response/reply/written statement in terms of directions contained in Modified Claims Tribunal Agreed Procedure within 30 days from today.

Put up for filing of aforesaid affidavits/reply/written

statement/offer of settlement on **20.04.2020**.

In terms of provisions contained in Clause 31 of the Modified Claim Tribunal Agreed Procedure, as amended vide order dated 07.12.2018 of the Hon'ble Delhi High Court in the case of Rajesh Tyagi & Ors. Vs. Jaibir Singh & Ors., FAO No. 842/2003, claimant(s) is/are directed to open MACT Claims SB Accounts in any of the 21 nationalized banks near the place of his/her/their residence(s) and Manager of the concerned bank is directed not to issue any cheque book and/or debit card to the claimant(s) and if the same has/have already been issued, to cancel the same and to make an endorsement on the passbook of the claimant(s) that no cheque book and/or debit card shall be issued without the permission of the Court. However, the concerned bank shall permit the claimant (s) to withdraw money from his/her/their savings bank account (s) by means of a withdrawal form or through biometric authentication.

A copy of this order be also given dasti to the claimant(s) and he/she/they is/are directed to produce the passbook with necessary endorsement, as well as his/her/their Aadhar card and PAN card before this tribunal on the next date.

(M.K. NAGPAL)
Judge/MACT, New Delhi
20.02.2020