

DAR No.97/2020 and 98/2020

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

27.01.2021

Present: Ms. Geeta Malhotra, Ld. Counsel for petitioners
through VC.

As per directions given by Ld. District & Sessions Judge, PHC, New Delhi vide order no. 381-440/Judl./Prin. D&SJ/NDD/2021 dated 15.01.2021 in pursuant to directions of the Hon'ble High Court vide order no. 35/RG/DHC/2021 dated 14.01.2021, this tribunal shall take up matters physically on even dates and through video conferencing on odd dates. Hence, the matters are accordingly being taken up today through video conferencing.

WS of R-3 stands already filed in both the matters.

No WS on behalf of R-1 R& R-2 has been filed till date. In the interests of justice, let the same be filed within a further period of 15 days from the today subject to payment of cost of Rs.1,000/- by each of them.

As both these DARs arise out of the same accident, these are consolidated for the purposes of trial and decision. DAR No. 98/2020 will be the lead case wherein the evidence will be recorded. For disposal of the present DARs, the following consolidated issues are framed:-

1. Whether Sh. Rishi Kesh (deceased of DAR No. 98/2020) sustained fatal injuries and Sh. Manan R Dattah (injured of DAR No.97/2020) sustained injuries in the accident which occurred on 10.03.2019 at about 05.30 am at NH-8 flyover, Opposite Varuna Naval Officers Mess, Delhi Cantt. New Delhi caused by rash and negligent driving of vehicle No. HR-63C-7290, which was being driven by respondent no.1, owned by the respondent no.2 and insured with respondent no.3? OPP.

2. Whether the petitioner (s) is/are entitled for compensation? If so, to what amount and from whom?

3.Relief.

No other issue arises or is pressed.

Now, put up for awaiting WS of R-1 & R-2/compliance of previous directions regarding opening of bank account etc. as well as for PE on **03.06.2021**.

(M.K. NAGPAL)
Judge/MACT, New Delhi
27.01.2021