

DAR No. 42/18

22.05.2018

Present : Sh. R.P. Singh, Advocate for the petitioners.
Sh. B.K. Mishra, Advocate with R-1 and R-2.
Sh. Kaushik Gole, Advocate for R-4 and R-5.
R-3 in person.

Reply filed by the respondent No. 1 and 2. Reply not filed by the respondent No. 3. On the pleadings of the parties, following issues are framed:

(i) Whether Mr. Mansur S.K. died in a motor vehicular accident that occurred on 19.11.2017 at about 12.40 a.m. at Nala Road, near SDM office, Geeta Colony, Delhi within jurisdiction of PS Geeta Colony due to rash and negligent driving of motor vehicle bearing registration No. DL 1 RP 7797 (TSR) by the respondent No. 1 / Javed?

(OPP)

(ii) Whether the petitioners are entitled to compensation, if so, to what amount?

(OPP)

(iii) Whether the respondent No. 1 to 3 are jointly and severally liable to pay the compensation, if any, awarded to the petitioners?

(OPR1 to R3)

(iv) Whether the petitioners are entitled to interest on the award amount, if so, at what rate of interest and for which period?

(OPP)

(v) Relief?

Affidavit of Smt. Mamena Biwi already filed in PE. Copy already supplied to the respondent No. 1 and 2. Counsel for the respondents are again provided a copy of affidavit against acknowledgement on the margin of the order-sheet. Security amount of Rs. 1,00,000/- in terms of order dated 18.01.2018 not deposited with the Tribunal. Accordingly, SHO, PS Geeta Colony is directed to seize the TSR bearing registration No. DL 1 RP 7797 immediately and report the Tribunal within one month. To come up for entire PE and RE in respect of the respondent No. 4 and 5, on **06.10.2018**. The petitioners and the respondent No. 4 and 5 shall furnish list of witnesses and provide advance copy of affidavits to the contesting parties.

NK

Sanjay Sharma
PO MACT (East)/KKD
Delhi/22.05.2018