

23.05.2019

Present: Petitioner No. 1 in person.
Ms. Nishu Gupta, Ld. Counsel for Lrs of the deceased
petitioner.
Sh. Kumar Alok, Ld. Counsel for R-3.
None for other respondents.
Insp. Nirmal Sharma.

It has already come on record that petitioner stands expired and even his LRs have been brought on record on the previous date of hearing. Hence Let Ahlmad to make the necessary corrections in the title of the case.

IO is present and has today filed a fresh DAR on completion of further investigation in terms of order dated 10.10.2018 of this tribunal. Let the DAR be taken on record. Now it is this DAR which shall be proceeded further and the previous DAR is directed to be attached therewith.

It was stated on the previous date that the injured Rahul Kumar has expired due to injuries suffered in the accident and the IO submits that after collecting the requisite oral and documentary evidence in this regard, Section 304A IPC was added in the criminal case and even a charge sheet of criminal case after addition of the said Section, and also some sections of the MV Act, stands already filed in the court of concerned Ld. MM. Section 304 A IPC is also found added in the DAR being filed today.

It is also stated and observed that the apprehensions expressed by this tribunal in previous order dated 10.10.2018 regarding the change of driver of the offending vehicle have been substantiated during the course of further investigation in terms of the said order and owner of the vehicle namely, Hans Raj, stands now impleaded in the new DAR as driver cum owner of the vehicle and the earlier driver Amit Kumar impleaded as R-1 in the old DAR is not a party in the new DAR.

Copies of the new DAR have been supplied to both the Ld. Counsels present today. Let reply of insurance company to the same be filed. Let notice to R-1 Hans Raj/driver cum owner be also issued for next date through the IO.

The report received from DCP concerned shows that the regular DE against ASI Bhopal Singh is still pending. Let a fresh report be also called for **29.08.2019**.

Let amended memo of parties as per new DAR be also filed.

(M.K. NAGPAL)
Judge/MACT, New Delhi
23.05.2019