

MACP No. 48/24
Atmanand Kumar Vs. Mobin Safi & Ors.
FIR No. 385/22
PS. Narela Industrial Area

11.01.2024

**Fresh DAR filed. It be checked and registered.
DAR is treated as claim petition u/s 166 (4) of MV Act.**

Present: Injured in person.
Driver, registered owner and possessory owner in person.
Sh. Shailendra Rai, Ld. counsel for insurance co.
IO HC Deepak is also present.

Status report filed by the IO. Same is taken on record.

Memo of appearance on behalf of insurance company filed.

Copy of DAR be supplied to injured, driver, registered owner, possessory owner and to counsel for insurance company against payment as per rule.

Written statement by driver, registered owner, possessory owner and legal offer in form III/reply by insurance company be filed within 30 days after supplying advance copy to the opposite parties through counsel against receipt.

Memo of parties be filed by injured on the next date of hearing.

The petitioner **Atmanand Kumar** is directed in terms of order dated 07.12.2018 of Hon'ble Justice J.R. Midha in case titled as Rajesh Tyagi and Others Vs. Jaibir Singh and Others FAO No. 842/03 as per clause 18 of MCTAP, to open a

MACT saving bank account in a nationalized bank near the place of his residence and the concerned bank is directed not to issue any cheque book and/or debit card to the petitioner and if the same has already been issued, the bank is directed to cancel the same and to make an endorsement on the passbook of the petitioner to the effect that no cheque book and/or debit card shall be issued without the permission of the Court. The petitioner is directed to produce the copy of the order before the concerned bank whereupon the bank is directed to make the endorsement on the passbook. The petitioner is directed to produce the passbook with the necessary endorsement as well as Aadhaar Card and PAN Card before the Claims Tribunal on next date. Copy of this order be given dasti to the counsel for the claimant for compliance.

It is pertinent to mention here that the accident had occurred on 17.05.2022 and FIR in the present case was registered on 18.05.2022. No extension has been sought by the IO in the present case. **Thus, there is delay of 1 year 7 months in filing the DAR.**

Let notice be issued to all the IOs to appear and furnish explanation with regard to delay in filing the DAR in the present case.

Put up on **30.03.2024** for awaiting report from DCP/for exploring the possibility of settlement / framing of issues.

(Richa Manchanda)
Judge MACT-2 (North)
Rohini Courts, Delhi/11.01.2024