

MACP No.477/2022

Rajesh Kumar Pandit V/s Faizal & Ors.

FIR No.791/2021

PS Narela Industrial Area

30.07.2022

Fresh DAR filed. It be checked and registered.

DAR is treated as claim petition u/s 166 (4) of MV Act.

Present: Ms.Babita Tyagi, Ld. Counsel for the petitioner.

Driver in person.

Owner absent.

Shri V.K Gupta, Ld. Counsel for the Insurance Company.

IO/HC Bunty in person.

Memo of Appearance has been filed on behalf of Insurance Company, same is taken on record.

The owner has not appeared today. Let owner of offending vehicle be served/summoned through IO for the next date of hearing.

Copy of DAR supplied to learned counsel for the petitioner/injured, driver as also to learned counsel for the Insurance Company.

Let written statement by driver 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 the petitioner/injured on the next date of hearing.

The petitioner/injured **Shri Rajesh Kumar Pandit, S/o Shri Brij Mohan Pandit** 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

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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.

Put up on **11.11.2022** for exploring the possibility of settlement/written statement/framing of issues.

Since DAR in the matter has been filed today, therefore, the application filed U/s 158 (6) MV Act (registered as Misc.DJ No.617/2022) is disposed off accordingly. Same be tagged with the DAR petition.

(Vinod Yadav)
Judge MACT-2 (North)
Rohini Courts, Delhi/30.07.2022