

MACP No. 39/22

Pushpawati & Ors. Vs. Sarabjeet Sharma & Ors.

11.08.2023

Present: Sh. Omkar Kushwaha, Ld. Counsel for
petitioners/Lrs of deceased.
None for driver and owner.
Sh. S.K. Tyagi, Ld. Counsel for insurance co.

Ld. Counsel for petitioners submit that one proxy counsel appeared on his behalf on the last date of hearing before my Ld. Predecessor on 08.05.2023 and without his instructions, the matter has been posted for awaiting an appropriate application for treating the present claim as claim u/s. 164 M.V. Act.

It is submitted by Ld. Counsel for petitioners submit that he wishes to withdraw the aforesaid submission as he wishes to pursue the present claim as claim u/s. 166 M.V. Act. Adjournment prayed for filing a formal claim petition in this regard. Liberty is granted with directions to file an accompanying affidavit in terms of aforesaid submissions made by him today.

Perusal of judicial record reveals that some apparent discrepancies has been noted in the FIR for which SHO, PS. Narela Industrial Area as well as IO were summoned for consideration.

The matter needs to be heard further for consideration in respect of FIR/DAR and submissions made today for further progress of the matter u/s. 166 or 164 M.V. Act as per law.

IO and SHO concerned be summoned for next date.

Put up for consideration on **20.10.2023**.

(Preeti Agrawal Gupta)
Judge MACT-2 (North)
Rohini Courts, Delhi/11.08.2023