

MACP No. 48/18

Raman Kumar Paswan Vs. Dariyab Singh & Ors.

10.12.2018

Present:- Petitioner/injured with Sh. Yatinder Khatri Adv.

Driver cum owner in person.

Sh A.K Singh Adv for insurance co.

On request, claimant is allowed to produce his passbook containing necessary endorsement as well as Aadhaar Card and PAN Card in terms of last order dated 29.05.18, on next date.

Affidavit in evidence of PW Sh. Raman Kumar Paswan filed.

Copy supplied.

An application U/s 170 M.V. Act has been moved on behalf of Insurance Co. heard on the application. Record perused.

It is submitted that counsel of driver cum owner is not available and therefore insurance co may be allowed to raise relevant pleas as available to driver cum owner under the law.

Considering the submission made and in the interest of justice, application is allowed. Accordingly, the aforesaid witness is examined as PW1 and discharged.

Despite service of notice in the office of Chairman of Disability Board of SRHC Hospital on 06.06.2018, no report whatsoever has been received with regard to disability of injured Raman Kumar Paswan till date.

Issue B/W in the sum of Rs.5000/- against Chairman of Disability Board of SRHC Hospital, Narela through SHO, PS Narela with directions to complete the assessment of disability of said

injured if not already completed and to submit the report at the earliest and positively within 6 weeks from the date of this order, failing which he shall remain present on next date for furnishing his explanation as to why disability of said injured could not be assessed in terms of order dated 02.04.2018.

Put up on 14.05.2019 for entire remaining PE as last opportunity. Advance copy of affidavit in evidence be supplied to counsels for parties at least 2 weeks prior to next date of hearing. Steps for summoning the witnesses be taken well in advance. **However, ahlmad is directed to put up the file on 22.12.2018 at 12:30 pm for consideration of show cause notice.**

(VIDYA PRAKASH)
Judge MACT-2 (North)
Rohini Courts, Delhi