

MACP No.102/2023

Pramod V/s M/s RG Pulses (Through its Prop.) & Ors.

MACP No.103/2023

Madan V/s M/s RG Pulses (Through its Prop.) & Ors.

Both in FIR No.658/2016

PS Samaipur Bali

13.02.2023

Fresh DAR filed. It be checked and registered.

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

Present: Shri Krishan Kumar, Ld.Counsel for the petitioner(s)/injured
alongwith petitioner(s)/injured persons in person.

Shri Naveen Garg, brother-in-law of Ms.Ritu Garg/owner.

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

IO/ASI Krishan Kumar in person.

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

Copy of DAR supplied to learned counsel for petitioner(s)/injured,
brother-in-law of owner as also to learned counsel for the Insurance Company.

Let written statement by 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 the petitioner(s)/injured on the next
date of hearing.

The petitioner(s)/injured in persons namely **Shri Parmod, S/o Shri Ram Sewak (in MACP No.102/2023) and Shri Madan, S/o Shri Subhram Singh (in MACP No.103/2023)** is/are 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

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place of his residence and the concerned bank is directed not to issue any cheque book and/or debit card to the petitioner(s) 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(s) to the effect that no cheque book and/or debit card shall be issued without the permission of the Court. The petitioner(s) is/are 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(s) is/are 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.

At this stage, it is noted that FIR in the matter was registered on 31.07.2016, whereas DAR in the matter has been filed today in Court. **There is delay of about six years and three months in filing the DAR.** Accordingly, a copy of this order be sent to **Worthy Commissioner of Police, Delhi Police**, with a request to personally look into the matter and get an inquiry conducted in respect of the unexplained delay in filing the DAR and to take action against the officials including the SHO and ACP (concerned) under whose supervision the DAR was to be filed.

Put up this petition for further consideration/report of Commissioner of Police, Delhi Police on **09.06.2023**.

Since DAR in the matter has been filed today, therefore, the application filed U/s 158 (6) MV Act (registered as Misc.DJ No.1563/2022) is disposed off accordingly. Same be tagged with the DAR petition bearing No.103/2023.

(Vinod Yadav)
Judge MACT-2 (North)
Rohini Courts, Delhi/13.02.2023