

MACT 237/2024

SMT NEERAJ & ORS (LRS OF ASHISH) VS. ASHOK KUMAR

MANDAL & ORS

FIR NO. 762/23

11.03.2024

Fresh DAR received from filing counter. It be checked and registered as per rules. DAR is treated as claim petition U/S.166(4) of MV Act.

Present: Sh. A. R. Tayade, Ld. Counsel for petitioners/LRs of deceased alongwith LRs of deceased in person.
Sh. Amandeep Rana, Ld. Counsel for driver and owner alongwith driver and owner in person.
Sh. Shashi Ranjan Kumar, Ld. Proxy Counsel for insurance co.
IO ASI Suryakant is also present.

Vakalatnama on behalf of petitioners/LRs of deceased, driver and owner and Memo of appearance on behalf of Insurance Company filed. Same are taken on record.

Copy of DAR be supplied to petitioners/LRs of deceased, driver and owner and to Ld. Proxy Counsel for insurance company, as per rule.

Written statement by drive and 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.

The petitioners **(1) Naresh Kumar S/o Shri Ram Lal (2) Smt. Kamlesh Kumari W/o Shri Naresh Kumar, (3) Smt. Neeraj W/o Late Shri Ashish, (4) Deepika D/o Late Shri Ashish, (5) Priya Jangra D/o Late Shri Ashish and (6) Hazel D/o Late Shri Ashish** 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(s) in a nationalized bank near the place of their residence and the concerned bank is

directed not to issue any cheque book(s) and/or debit card(s) to the petitioners and if the same have already been issued, the bank is directed to cancel the same and to make an endorsement on the passbook(s) of the petitioner to the effect that no cheque book(s) and/or debit card(s) shall be issued without the permission of the Court. The petitioner(s) 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(s). The petitioner(s) are directed to produce the passbook(s) with the necessary endorsement as well as Aadhaar Card(s) and PAN Card(s) before the Claims Tribunal on next date. Copy of this order be given dasti to the counsel for the claimant(s) for compliance.

Put up on **15.05.2024** for exploring possibility of settlement, if any, and completion of pleadings.

(Richa Manchanda)
Judge MACT-2 (North)
Rohini Courts, Delhi/11.03.2024