

MACT 256/23 (leading case)
NEEMA AND ORS (LRS OF SURDARSHAN) Vs. RAHUL

11.02.2025

Present: Ms. Deepika, Ld. Counsel for petitioner alongwith petitioners.
Driver in person.
Shri Dinesh Kumar, Ld. Counsel for registered owner
alongwith registered owner in person.
None for possessory owner.
None for insurance company.

WS filed on behalf of registered owner. Copy supplied.

**Possessory owner has failed to file his WS. Accordingly, his
defence stands struck off.**

Pleadings are complete in the matter. On the basis of the
pleadings of the parties following issues are settled for consideration:-

*1. Whether deceased Sudarshan has died in the
road traffic accident on 17.10.2021 at about 7.30 AM
at Near DD Mall, T Point, Sector-5, DSIIDC
Bawana, Delhi, within the jurisdiction of PS. NIA,
due to rashness and negligence on the part of Sh.
Rahul/R1 who was driving vehicle bearing
registration no. UP 14BS 0008 owned by registered
owner Shri Arun Soam/R2 and possessed by
possessory owner Shri Devender Sharma/R3 and
insured with Reliance General Insurance Company
Ltd./R3?OPP.*

*2. Whether the petitioners are entitled to
compensation if so, to what extent and from which of
the respondents? OPP.*

3. Relief.

No other issue arises or pressed.

There are two connected claim petitions arising out of
the same Motor Vehicular Accident.

It is jointly submitted on behalf of the parties that
since there are common witnesses to be examined on behalf

of respondents in both the claim petitions, same may be consolidated for the purpose of recording of evidence by the parties. Accordingly, both the claim petitions bearing MAC Petition Nos. 256/23 and 257/23 are consolidated for the purpose of recording evidence to be led by the parties and present **MAC Petition No. 256/23 titled as Neema & Ors (LRS of Sudarshan) Vs. Rahul & Ors. is treated as the leading case.**

Put up for PE on **03.06.2025**. List of witnesses, if any be filed by both the parties within 2 weeks. Evidence by way of affidavit on behalf of petitioner be filed within 4 weeks after supplying the advance copy to the respondents through counsel against receipt.

(Richa Manchanda)
Judge MACT-2 (North)
Rohini Courts, Delhi/11.02.2025