

MACT NO. 361/24  
SHYAMVATI VS.KAMLESH KUMAR & ORS.  
FIR NO 388/23  
PS ALIPUR

03.04.2024

**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: Shri Pradeep Kumar Mishra, Ld. Counsel for injured alongwith injured.  
Driver and owner in person.  
**Offending vehicle is uninsured.**

Vakalatnama on behalf of petitioner filed. Same is taken on record.

Copy of DAR be supplied to petitioner, driver and owner and to Ld. Counsel for the insurance company, as per rule.

Written statement by driver, owner and legal offer in form III/reply by the insurance company be filed within 30 days after supplying advance copy to the opposite parties through counsels against receipt.

The petitioner **Shyamvati W/o. Sh. Manohar**, is 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 place of his residence and the concerned bank is directed not to issue any cheque book and/or debit card to the petitioner 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 to the effect that no cheque book and/or debit card shall be issued without the permission of the Court. The petitioner is 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 is 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.

**Since the offending vehicle is uninsured, directions be issued to concerned Transport Authority through IO not to transfer the vehicle till the disposal of the case, without permission of the Court. IO is directed to file the acknowledgement by next date. Copy of this order be given dasti to IO.**

**Notice be issued to IO regarding status of the vehicle as well as compliance of Clause 20 of Modified Claims Tribunal Agreed Procedure for next date of hearing.**

Put up on **15.07.2024** for exploring possibility of settlement, if any/framing of issues.

(Richa Manchanda)  
Judge MACT-2 (North)  
Rohini Courts, Delhi/03.04.2024