

MACT 242/21  
SHIVAM Vs. AWADESH

13.03.2024

Present: Ms. Usha Rani, Ld. Counsel for petitioner.  
None for driver and owner.  
Shri Suresh Verma, Ld. Proxy Counsel for insurance company.

WS/Reply has not been filed by driver and owner despite service and appearance on 12.10.2022 and also they have stopped appearing. **Accordingly, they are proceeded ex parte and their 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 the injured Shivam suffered injuries in road traffic accident on 23.09.2020 at about 4.30 hrs. at Mukandpur Chowk Mukundpur, Bhalaswa Dairy, Delhi within the jurisdiction of PS. Bhalaswa Dairy, due to rashness and negligence on the part of Sh. Avadesh Kumar/R1 who was driving vehicle bearing registration no. HR 55S 1166 Tata 709 owned by Satish Kumar and insured with New India Assurance/R3?OPP.**

**2. Whether the injured is entitled to any compensation if so to what amount and from whom? OPP.**

**3. Relief.**

No other issue arises or pressed.

Put up for PE on **04.07.2024**. 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/13.03.2024