

MACP no.428/18 and 429/18

Bimla Devi and Vikram Vs. Himsanshu Goyal & Ors.

26.10.2021

Present: Sh. Anil Kumar, Ld.counsel for petitioner.  
Sh. V. P. Pradhan, Ld.counsel for driver and owner.  
Ms. Sushma Kumar, Ld.counsel for insurance company.

Legal offer given by insurance ocompany is not acceptable to the petitioners.

Let the matter be proceeded on merits.

The petitions bearing MACT No. 428/18 and 429/18 arise out of the same accident. The eye witness in both the cases are the same. Hence, both these cases bearing No.428/18 and 429/18 are consolidated for the sake of convenience for the purpose of recording evidence. The claim petition bearing **MACT No. 428/18 titled as Bimla Devi Vs. Himanshu Goyal & Ors.** shall be the lead case.

Pleadings of the parties are complete. From the pleadings of the parties following **consolidated** issues are framed for consideration.

1. **Whether the injured persons namely Bimla Devi and Sh. Vikram suffered injuries in road traffic accident on 04.04.2018 at about 10.00 AM near Singhola Red Light, Towards Delhi within the jurisdiction of PS Alipur due to rashness and negligence on the part of the driver Sh. Himanshu who was driving the vehicle bearing registration no. DL-10CS-2179 owned by Sh. Kailash Goyal and insured with Bharti Axa General Insurance Co.Ltd?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 out of the pleadings or pressed.

Put up for PE on 11.02.2022. Advance copy of affidavit in evidence be supplied to counsels for parties at least 2 weeks prior to next date of hearing. Steps for summoning the witnesses be taken well in advance.

(Devender Kumar Jangala)  
Judge MACT-2 (North)  
Rohini Courts, Delhi/26.10.2021