

MACT 415/23
PARVESH KUMAR
Vs.
DHARMVEER

29.05.2024

Present: Shri Hari Om, Ld. Counsel for petitioner alongwith petitioner.
Shri Mayank Rana, Ld. Counsel for driver cum owner (**defence struck off vide order dated 13.02.2024**).
Shri Shailender Rai, Ld. Counsel for insurance company.

Application filed for setting aside the order dated 13.02.2024 whereby defence of driver-cum-owner was struck off. Copy supplied.

There is no objection to the application. Application is allowed.

WS of driver-cum-owner filed. Same is taken on record.

Copy of disability certificate filed. Copy supplied. The said disability certificate was got prepared by the petitioner prior to the filing of DAR.

WS filed by insurance company. Taken on record.

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 Parvesh Kumar suffered injuries in road traffic accident on 16.02.2023 at about 11.30 PM at Sindhu Boarder, Narela Road, Near KVS School, Red Light, Delhi, within the jurisdiction of PS. Narela, due to rashness and negligence on the part of Sh.Dharamveer Singh/R1 who was driver cum owner and driving vehicle bearing registration no. HR 69D 4841 and insured with Future General Insurance Company Ltd./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.

Affidavit by way of evidence of PW-1 filed by the petitioner.
Copy be supplied.

Put up for PE on **03.10.2024**. 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/29.05.2024