

MACP No.662/2022  
Ms.Radha V/s Prakash Chander & Ors.  
FIR No.365/2021  
PS K.N Katju Marg

30.09.2022

**Fresh DAR filed. It be checked and registered.**

**DAR is treated as claim petition u/s 166 (4) of MV Act.**

Present: Shri A.K Singh, Ld. Counsel for the injured/petitioner.

Driver in person.

Shri Harsh, Conductor on behalf of owner DTC.

Ms.Neeru Garg, Ld. Counsel for the Insurance Company.

IO/ASI Suresh Kumar in person.

Memo of Appearance on behalf of Insurance Company has been filed, same is taken on record.

Copy of DAR supplied to learned counsel for the injured/petitioner, driver, owner as also to learned counsel for the Insurance Company.

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

Memo of parties be filed by the petitioner/injured on the next date of hearing.

The petitioner/injured **Ms.Radha, D/o Shri Sultan Singh** 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 her 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

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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.

At this stage, it is noted that FIR in the matter was registered on 28.08.2021, whereas DAR in the matter has been filed today in Court. **There is delay of about ten months in filing the DAR.** Accordingly, a copy of this order be sent to DCP (Rohini) with the directions to personally look into the matter and get an inquiry conducted in respect of the unexplained delay in filing the DAR and to take action against the officials including the SHO and ACP (concerned) under whose supervision the DAR was to be filed.

Put up this petition for further consideration/report of DCP (Rohini) now on **06.12.2022**.

**Since DAR in the matter has been filed today, therefore, the application filed U/s 158 (6) MV Act (registered as Misc.DJ No.476/2022) is disposed off accordingly. Same be tagged with the DAR petition.**

(Vinod Yadav)  
Judge MACT-2 (North)  
Rohini Courts, Delhi/30.09.2022