

MACP 686/22 (**leading case**)

ANITA AND ANR. (LRS OF SANJIT TOMAR) Vs. VINOD AND ORS.

17.08.2024

Present: Ld. Counsel for petitioner.  
None for driver and owner.  
Shri Chaitanya Jain, Ld. Counsel for insurance company.

None has been appearing on behalf of driver and owner and no reply filed on behalf of driver and owner. Accordingly, 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 deceased Sanjit Tomar has died in the road side accident occurred on the midnight of 25/26.02.2022 Near Baywala Police Chowki, Budhana Road, within the jurisdiction of PS. Budhana, District, Muzaffar Nagar, UP due to rashness and negligence on the part of Sh. Vinod/R1 who was driving vehicle bearing registration no. UK 07AZ 4710 owned by Pooja Sharma and insured with Royal Sundaram General Insurance/R3?OPP.*

*2. Whether the petitioners are entitled to compensation if so, to what extent and from which of the respondents? OPP.*

*3. Relief.*

No other issue arises or pressed.

There are three connected claim petitions arising out of the same Motor Vehicular Accident.

It is jointly submitted on behalf of the parties that since there are common witnesses to be examined on behalf of respondents in both the claim petitions, same may be consolidated for the purpose of recording of evidence by the parties. Accordingly, both the claim petitions bearing

MAC Petition Nos. 685/22 and 686/22 are consolidated for the purpose of recording evidence to be led by the parties and present **MAC Petition No. 686/22 titled as Anita & Ors. (LRS of Sanjit Tomar) Vs. Vinod & Ors.** is treated as the **leading case.**

**Criminal case record be filed on the NDOH.**

Put up for PE on **30.11.2024**. 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 MACP-2 (North)  
Rohini Courts, Delhi/17.08.2024