

MACT 741/22 (**leading case**)

VIPIN AND ORS (LRS OF DIVYA) Vs. VIKAS S/O SH.
DHARAMVIR

25.01.2025

Present: Ms. Shruti Singh, Ld. Proxy Counsel for petitioner through VC.
Shri M. S. Nandal, Ld. Counsel for driver alongwith driver.
None for owner.

Offending vehicle is uninsured

Fresh vakalatnama filed on behalf of driver. Taken on record.

WS filed by driver. Copy be supplied.

Owner has failed to file WS. Accordingly, his 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 Divya has died in the road traffic accident on 30.06.2022 at about 6.15 PM at Main road, in front of Shiv Mandir, Naya Bans, Delhi, within the jurisdiction of PS. NIA, due to rashness and negligence on the part of Sh. Vikas/R1 who was driving vehicle bearing registration no. DL-4CNE 3509 owned by Pradeep Mahra/R2?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 all the claim petitions, same may be consolidated for the purpose of recording of evidence by

the parties. Accordingly, all the claim petitions bearing MAC Petition Nos. 741/22, 745/22 and 746/22 are consolidated for the purpose of recording evidence to be led by the parties and present **MAC Petition No. 741/22 titled as Vipin & Ors. (LRs of Divya) Vs. Vikas & Ors. is treated as the leading case.**

Put up for PE on **24.05.2025**. 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/25.01.2025