

MACT 784/22  
AZIZUL HUSSAIN Vs. KSHITIZ AND ORS

21.12.2024

Present: Shri Narender Singh, Ld. Counsel for petitioner through VC.  
None for driver and registered owner.  
Shri Ankit Kalra, Ld. Counsel for insurance company.

**Driver and owner have not filed WS despite last opportunity.  
Accordingly, their defence stands struck off.**

Copy of insurance policy filed by the insurance company.

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 Azizul Hussain suffered injuries in road traffic accident on 03.01.2022 at about 9.52 PM at Narela to Bawana Flyover ke uper, while coming to SRHC hospital side, Delhi, within the jurisdiction of PS. NIA, due to rashness and negligence on the part of Sh. Kshitiz/R1 who was driving vehicle bearing registration no. DL-12CQ5133 owned by Mritunjay Kumar and insured with ICICI Lombard 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.

Put up for PE on 19.02.2025. 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/21.12.2024