

MACP No.622/19

Mina & ors. Vs. Radha & Ors.

16.03.2021

Present: Sh.Pradeep Kumar, Ld.counsel for petitioner.
None for respondents driver and owner.
Sh.R. K. Gupta, Ld.counsel for respondent insurance company.

None is appearing on behalf of respondents no.1 and 2 the driver and owner. Neither any written statement filed on their behalf. **In these circumstances, the right of respondents driver and registered owner to file written statement is closed and their defence is also struck off.**

Pleadings of the parties are complete. From the pleadings of the parties following issues are framed for consideration.

1. Whether the deceased Sh.Dinesh suffered fatal injuries in road traffic accident on 25.12.2016 at about 8.40 PM near Krishna Dhaba, Gram Kirshan Pur Highway, Allahabad, UP within the jurisdiction of PS Saraon, Allahabad due to rashness and negligence on the part of the driver Sh. Anil/R-1 who was driving vehicle bearing registration no.UP-83T-6462, owned by Sunil Ambulance Services/R-2 and insured with the Oriental Insurance Co.Ltd/R-3?OPP.

2. Whether the Lrs of deceased are entitled to any compensation if so to what amount and from whom?OPP.

3. Relief.

No other issue arises out of the pleadings or pressed.

Put up for PE on 12.07.2021. Advance copy of affidavit in evidence be supplied to counsels for parties at least 2 weeks prior to next date of hearing. Steps for summoning the witnesses be taken well in advance.

(DEVENDER KUMAR JANGALA)
Judge MACT-2 (North)
Rohini Courts, Delhi/16.03.2021