

MACT 53/22 (**leading case**)
SAROJ AND ORS (LRS OF BHATERI DEVI)
Vs.
PRINCE GULATI
AND
MACT 54/22
AJIT KUMAR
Vs.
PRINCE GULATI

16.04.2024

Present: Shri S. N. Thakur, Ld. Counsel for petitioner.
None for driver cum owner (**ex parte and defence struck off
vide order dated 19.10.22).**
Offending vehicle is uninsured.

**Notice be issued to IO/SHO regarding status of the vehicle
as well as compliance of Clause 20 of Modified Claims Tribunal Agreed
Procedure for next date of hearing.**

Application filed for filing amended memo of parties. Copy of survivor certificate is filed on record mentioning the name of survivors. Amended memo of parties contains the name of all the survivors. Accordingly, the application is allowed. Amended memo of parties is taken on record.

The petitioners **(1) Ajit Kumar S/o Late Shri Bhal Singh, (2) Saroj W/o Shri Naresh, (3) Geeta W/o Shri Dayanand, (4) Kanta W/o Kuldeep, (5) Madhu W/o Late Azad, (6) Naitik Minor Grandson of deceased S/o Late Shri Azad and (7) Sakshi minor grand daughter of deceased D/o Late Shri Azad** are 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(s) in a nationalized bank near the place of their residence and the concerned bank is directed not to issue any cheque book(s) and/or debit card(s) to the petitioners and if the same have already been issued, the bank is directed to cancel the same and to

make an endorsement on the passbook(s) of the petitioner to the effect that no cheque book(s) and/or debit card(s) shall be issued without the permission of the Court. The petitioner(s) are directed to produce the copy of the order before the concerned bank whereupon the bank is directed to make the endorsement on the passbook(s). The petitioner(s) are directed to produce the passbook(s) with the necessary endorsement as well as Aadhaar Card(s) and PAN Card(s) before the Claims Tribunal on next date. Copy of this order be given dasti to the counsel for the claimant(s) for compliance.

PW1 Sh. Ajit examined and discharged in ex parte evidence. It is submitted by Ld. Counsel for petitioner that no other witness remains to be examined by the petitioner. Accordingly, PE is directed to be closed.

Put up for recording of statement of petitioner under Clause 29 MCTAP and final arguments on **20.05.2024**.

(Richa Manchanda)
Judge MACT-2 (North)
Rohini Courts, Delhi/16.04.2024