

41 M A C T 34/26
YASHIKA Vs. ANSH GARG

16.01.2026

Fresh DAR has been received through FC, filed by IO/SI Udeshya Rathi, PS Vijay Vihar. It be checked and registered.

Present : Ms. Kirti Tanwar, Ld. Counsel for petitioner alongwith father of petitioner in person.

Ms. Kamini and Ms. Charu (through VC) Ld. Counsel for R1/driver cum owner of offending vehicle.

Ms. Sunita, Ld. proxy counsel for R2/Insurance Company.
IO in person.

Ld. Counsel for petitioner has filed vakalatnama. Same is taken on record. Ld. counsel for R1 and R2 has filed memo of appearance. Same are taken on record.

IO submits that all the documents has been verified and there is no breach of insurance policy condition, however, chargesheet is yet to be filed before concerned JMFC.

Ld. Counsel for petitioner submits that there is no other claim petition filed on behalf of petitioner anywhere in India except the present DAR. Hence, the present DAR is treated as petition U/s 166 (4) MV Act 1988.

IO has supplied copy of DAR to the petitioners as well as respondents.

The respondents are directed to file reply/offer by NDOH.

Petitioner i.e. Yashika is directed to open MACT Claim SB Account in terms of order dated 07.12.2018 passed by Hon'ble High

Court of Delhi in Rajesh Tyagi and Ors Vs. Jaibir Singh and Ors, FAO No. 842/03.

Petitioner is also directed to open this accounts in a bank near the place of residence and produce the original pass book on the NDOH with direction to Branch Manager not to issue any cheque book or debit cards to the account holder/petitioners for the said account and if already issued in any account opened, same be cancelled. While opening the account the bank is directed not to permit any joint name to be added in the saving account/FD account of the petitioner and make the endorsement to that effect in the pass book.

The petitioner also directed to file copy of PAN Cards and Aadhar card on NDOH and she shall remain present on NDOH for recording her statement as per clause 29 (now 26) of MCTAP.

List on 24.02.2026.

(Vikram)
DJ-1+ MACT, N/W, Rohini Courts,
16.01.2026