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MACT 335/25

FIR No. 424/24

PS South Rohini

SUMIT SHARMA Vs. KAPIL SINGH

23.04.2025

Fresh DAR has been received through Facilitation Centre which has been filed by IO SI Jagdeep Sandhu from PS South Rohini, Delhi. It be checked and registered.

Present : Injured in person.

R1 in person.

Brother of R2 in person.

Sh. Shashi Ranjan, Ld. counsel for R1 & R2.

Ms. Lalita, Ld. proxy counsel for Insurance Company.

Vakalatnama on behalf of R1 filed. Memo of appearance on behalf of R2 and Insurance Company. Same are taken on record.

Heard. Perused.

It is submitted that there is no breach of Insurance policy. Charge-sheet is yet to be filed before the concerned criminal court.

Petitioner/injured submits that no other claim petition has been filed anywhere in India regarding the accident in question except the present DAR. The present DAR be treated as petition under Section 166(4) of M. V. Act, 1988 as amended upto date. Copy of the DAR supplied by IO to the petitioner and respondents.

Respondents are directed to file the reply as per law along-with spare copy for the other party.

To appear before this court on **05.06.2025**.

Ld. counsel for the petitioner submits that the name of petitioner is Sunit Sharma, however, the name of petitioner has been mentioned as Sumit Sharma by the IO. Ahlmad is directed to correct the name of petitioner in the memo of parties and title of the case.

Petitioner/injured Sunit Sharma is directed to open a MACT claims SB Account in terms of order 07.12.2018 in case titled as Rajesh Tyagi & Ors. Vs. Jaibir Singh and Ors. FAO No. 842/03. Petitioner is further directed in terms of order dated 07.12.2018 of Hon'ble Mr. Justice J. R. Midha in FAO No. 842/03 and as per clause 29 (now 26) of revised MCTAP to open the said bank account in a bank near her place of residence with directions to produce her original passbook on the next date of hearing with the directions to the Branch Manager not to issue any cheque book and debit card to the petitioner qua the said A/c and if already issued these be cancelled and the said bank shall also not permit any joint name to be added in the saving bank account or fixed deposit account of the petitioner. The endorsement to that effect should be made on the said bank passbook by the Branch Manager upon production of copy of this order by claimant before the Branch Manager.

Copy of PAN Card and Aadhar card be also filed by the petitioner, in terms of the direction of Hon'ble Court.

Petitioner is directed to appear in person for recording their financial status in terms of clause 29 (now 26) of MCTAP.

Copy of the order be given dasti.

(Shivaji Anand)
ADJ-1+ MACT, N/W, Rohini Courts,
23.04.2025